



International liaison, dialogue and research

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# Country Focus Paper:

## South Africa's Relations with Zimbabwe

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# Preface

This paper provides analysis and information on policy making processes in South Africa that pertain to Zimbabwe. It intends to stimulate deeper and more focused discussion on international and domestic policy options that will contribute to progressive outcomes from the complex crisis context of Zimbabwe and its impact on the region.

The highly dynamic and complex situation in Zimbabwe has presented the research team with major challenges. It was begun in late 2007 and updated repeatedly as the situation rapidly evolved. Enormous effort has gone into releasing a paper that is up to date in its analysis of the changing conditions, and that also presents relevant and useful policy options and ideas on the way forward. While the context is continually shifting, SALO believes that the long term nature of the strategies and tactics we propose through this publication will still be relevant and effective.

## ***The Authors***

The paper was written and compiled by a Southern African Liaison Office (SALO) research team comprised of mostly Southern African academics, researchers and journalists. This team combined a review of a wide range of published and unpublished material with a series of focused interviews with key stakeholders and opinion leaders that laid a solid foundation for the perspectives that follow. These perspectives were further enhanced by roundtable discussions that took place as part of the policy dialogue events organised by SALO.

## ***About SALO***

The Southern African Liaison Office (SALO) is a non-governmental organisation that seeks to promote policy dialogue between civil society and governments, backed by research and advocacy, in the search for solutions to regional conflicts. Initially, SALO was focused exclusively on Zimbabwe, but is currently using similar techniques and principles to address a wider range of regional and international conflicts and governance challenges.

## ***Acknowledgements***

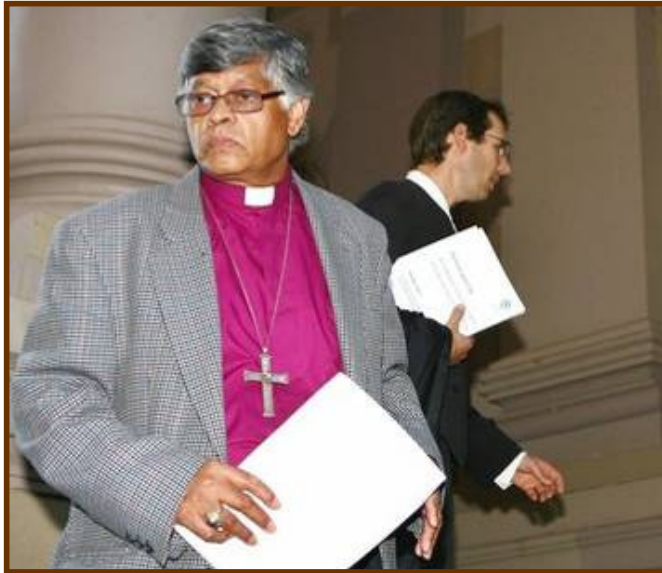
The material was reviewed by a reference group of individuals from a diverse range of sectors with direct experience of engagement on Zimbabwe. The research project was carried out with the financial support of the European Union (EU) and the National Treasury of South Africa through the Conflict and Governance Facility (CAGE), the European Commission in Harare, the Swedish International Development Cooperation Agency (SIDA) and the Swedish Embassies in Harare and Pretoria, Irish Aid and the Irish Embassy in Pretoria, the Norwegian Embassies in Harare and Pretoria, the Finnish Embassy in Pretoria, the Olof Palme International Centre, the Open Society Institute of Southern Africa (OSISA) and the Southern Africa Trust.

The views expressed in this paper are wholly those of the SALO research team and the people interviewed within, and are not necessarily the views of the donors.

## Foreword by Bishop Rubin Phillip

Having been part of the lengthy processes leading to the publication you now have before you, I feel I can justifiably and wholeheartedly commend what I believe is an important, constructive and helpful distillation of SALO's work, so far, on Zimbabwe.

We believe an essential step in the quest for the well-being of the people of Zimbabwe and the region is truth telling. Telling the truth strengthens the resolve of those who are working for peace and justice and helps disarm the perpetrators of falsehood and violence. Furthermore, it helps underline the heavy responsibilities of regional and international communities – of us all – for our fellows in distress. In situations where people are manipulated in the self-interest of rulers who employ deceit and fear for their own ends, cries of sovereignty ring hollow and the oppressed have the right to claim the attention of their neighbours.



But what is the truth we have to tell? This, as you will read, SALO has diligently set out to discover and to share through rigorous research far back into the roots of history and conflict, political and economic, and through ever-continuing dialogues with all contemporary parties concerned.

While SALO is a non-governmental organisation it enjoys good relations, based on long-standing friendships, with the South African government and the Tripartite alliance and with governments in the region and abroad through the diplomatic community. Its work interlinks with that of the Zimbabwe Solidarity Forum in stimulating public consciousness and debate through youth and media outreach programmes. It is dedicated to building international consensus on Zimbabwe thus avoiding unnecessary contest, misunderstanding and misuse of our precious and limited time. By enabling dialogue and debate, both private and public, amongst key government, civil society and diplomatic figures from the region and abroad SALO, all the time benefiting from the generous contributions of all concerned and involved, helps stimulate fresh thinking leading to bold conclusions.

We thank the people of Zimbabwe who, at great personal cost, have remained committed to the democratic processes of law, peace and justice. Such fortitude is an inspiration for all of us. We pray with you that the darkness of oppression will soon be vanquished in the bright dawning of a new era.

**BISHOP RUBIN PHILLIP**, September 2009

Chair of the SALO Board, the Zimbabwe Solidarity Forum and the Solidarity Peace Trust

# Introduction: A Decade of Diplomacy – South Africa and Zimbabwe, 1999-2009

## *Kinshasa – September 2009: Change amidst Continuity*

The Southern African Development Community's (SADC) September 7-8 2009 summit in Kinshasa marked a decade of the regional grouping's dealing with the consequences of one its founding member's inability to change its leaders democratically. The meeting was important – especially regarding the relationship between South Africa and Zimbabwe. The 29<sup>th</sup> SADC summit marked not only the handover of South African President Jacob Zuma's chair to the Democratic Republic of the Congo's President Joseph Kabila, so soon after the former inherited it with his April election victory. It was also the first since the inauguration of Zimbabwe's Government of National Unity (GNU – sometimes labelled the Zimbabwe Inclusive Government – ZIG – or the Transitional and Inclusive Government of National Unity), a transitional *modus vivendi* between Robert Mugabe's Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the party that had been trying to unseat it since its birth ten years earlier.

The Kinshasa moment signalled ten years of relations between South Africa and Zimbabwe in which the foreign policy of the former was tested as never before. In those years Zimbabweans suffered grievously as their country grappled with the seemingly simple but intractable problem of democratically removing one man and his party from power. The decade found Zimbabwe slipping perilously close to the status of 'hell on earth' as thousands died of cholera, one of the world's easiest diseases to prevent and cure. At its close, there seemed to be a slight possibility of accelerating the small amount of positive change in Zimbabwe that had been garnered from years of delicate diplomacy and internal collapse. When the GNU was initiated in February, there were about as many prophesiers of doom as there were of hope: as its six-month review was about to come up the balance remained about the same.<sup>1</sup>

As a new decade begins it is apposite to conduct a review of South African policy making *vis a vis* its northern neighbour. This period in review starts with one event that contributed markedly to the beginning of the Zimbabwean crisis (if one takes the founding of the MDC on September 11 1999 as one of the catalysts of the 'crisis', given that it signalled a real oppositional challenge to the ruling ZANU-PF<sup>2</sup>). These years have been marked by the label 'quiet diplomacy', but the process has definitely been *disquieting* for many observers and most of Zimbabwe's citizens. The 'quietness' was perceived not only as 'non-interference'

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<sup>1</sup> See Solidarity Peace Trust, *Walking a Thin Line: The political and humanitarian challenges facing Zimbabwe's GPA leadership – and its ordinary citizens*, Johannesburg: Solidarity Peace Trust (June 30, 2009), for a comprehensive discussion of the problems besetting the GNU. Also Brian Raftopoulos, 'What prospects for Zimbabwe's GNU?' *Amandla*, 7 (April-May 2009).

<sup>2</sup> It could be argued that when it became clear that the MDC was going to mount a fundamental challenge to ZANU-PF, the latter moved to make a coalition with the 'war-vets', who before this had been a thorn in the ruling party's side. A good historical analysis of the South African state's perceptions of the role of the 'war-vets' would have to begin at least in 1995, when problems with their efforts to gain disability pensions emerged.

in the affairs of a neighbour, but also as active support of a party largely regarded as politically authoritarian, economically inept, socially destructive and culturally retrograde, led by a dictator.

Many hopes were placed on the September meeting to change the dynamics of regional diplomacy and power relations *vis a vis* Zimbabwe. Jacob Zuma was cast as Hercules, tasked with cleaning out the Augean stables in this single session. To be sure, he kept Zimbabwe in the forefront of the Kinshasa summit – the *Zimbabwe Independent's* editors said their country's problems "would have simply disappeared off the SADC radar" without him.<sup>3</sup> But the chance to perform the miracle was denied. The Zimbabwe issue was removed from SADC's official table. The litany of complaints was ignored: opposition MPs facing mysterious charges so they would lose their parliamentary seats; a long list of brutalised human beings; the improper appointments of Zimbabwe's Attorney General, Reserve Bank chair, and ambassadors and provincial governors. All that was said at the SADC meeting was "stop sanctions."

It was almost as if the Zimbabwe situation had regressed to 1999. The decade's circle was fully turned as the MDC still seemed shut out of power, facing a ZANU-PF as duplicitous as it was clever. South Africa's foreign policy role with regard to its northern neighbour was as complicated as ever; its diplomacy still an agonising endeavour. Was there to be more continuity than change in South Africa's Zimbabwe policy under the new administration? The Kinshasa meeting indicated that South Africa was still constrained by the necessity of gaining the consensus of SADC's members. Despite South African policy makers' desire to act decisively on Zimbabwe, the Kinshasa meeting illustrated once again that this would be no easy task. The persistence of regional solidarity politics meant more patient and perhaps even quieter diplomacy. The matter was placed on the new Troika's plate. Its members, the former chairman (Jacob Zuma), the current one (Joseph Kabila Kabange) and the next SADC chair (Namibia's Hfikepunye Pohamba) would have to organise the GPA's six month review. The Organ on Politics, Defence and Security Cooperation (OPDSC) – chaired for the next year by Mozambique's President Armando Emilio Guebuza, with Zambia's Rupiah Bwezani Banda and South Africa as members – would also be a venue of serious discussion on Zimbabwe. South Africa was expected to take a leading role behind the scenes.

One important reality appeared to have changed, however. It was clearer than ever that South African support for ZANU-PF was waning. No longer could the African National Congress be accused of aiding and abetting a ruling party long past a legitimate claim to the legacy of the liberation war, long past a chance for 'reform from within'. President Zuma had made that clear on a visit to Harare's Agricultural Show before the Kinshasa summit that Zimbabwe would have to adhere to the rules of the Global Political Agreement and the norms of "good governance, human rights and democracy" before the prayed for rains of development aid from the 'west' could replenish Zimbabwe's parched economic soil.<sup>4</sup>

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<sup>3</sup> Jacob Zuma, "kept the Zimbabwe issue alive in his fairly forthright report to regional leaders which ensured Sadc remained interested in the issue ... [he] ... said remaining 'obstacles' must be removed" and at the last press conference Zuma "told journalists that issues on Zimbabwe were raised 'frankly' with Mugabe" and that "the Sadc troika would review the six months of the inclusive government and address outstanding issues". "Comment: Mugabe Wiggles off the Hook", *Zimbabwe Independent* September 10, 2009.

<sup>4</sup> Dumisani Muleya, 'Battle lines drawn as Zuma takes hard line on Zimbabwe', *The Weekender*, August 29-30, 2009; also see Muleya's 'Zimbabwe: Mugabe Faces Tougher Scrutiny, Says ANC', *Business Day*, August 27, 2009.

'Sanctions' should be removed, yes, but not until ZANU-PF's promises had been kept. The new question for the second decade of diplomacy was perhaps a tougher one, though. How could the new team win the diplomatic game, played for far longer by Mugabe and "his boys" who, according to *City Press's* Japhet Ncube, had outwitted their opponents well before they flew into Kinshasa?<sup>5</sup> As Linda Freeman indicated near the beginning of Decade I, it was not clear then if South Africa's Gulliver role was that of a huge giant in Lilliput or a tiny plaything in Brobdingnag.<sup>6</sup> The query remains: is South Africa really a regional and continental hegemon, or is it hamstrung because it fears punching "above its weight"? Is it only through paralysis that it avoids the "extremes of being seen as arrogant or being overly humble to a point of not asserting [itself]"?<sup>7</sup>

As Anthoni van Nieuwkerk put it, the "unfinished business [of] ... democratisation [remains] a key feature" of the regional and continental environment. South Africa is expected to maintain and deepen the "promotion of continental democratic governance through instruments provided by the SADC and AU, [to] work towards ... a SADC Parliament and legislative power for the PAP, [and to] facilitate dialogue on issues of democracy between state and non-state actors."<sup>8</sup> If Zimbabwe's democratisation is on that list, how could the delivery of that promotional package be hastened?

It is possible that the questions Adam Habib raises about the ideologies of the South African foreign policy community in the 1999-2009 years may be resolved now in principle – but not in practice. Then, for Habib, the principles were a "sophisticated and nuanced" blend of the old nationalism aiding and abetting parties such as ZANU-PF still fighting the anti-colonial war, with the newer mix of human rights and liberal economics. There was strategic method (based on a reading of the 'National Democratic Revolution'<sup>9</sup>) to this apparent madness: the policy was *not* "arbitrary, unprincipled, and incoherent" although many saw it that way.<sup>10</sup> Perhaps the new South African regime's adherence to old nationalism has diminished, and with the global economic crisis combined with stronger alliances with the trade unions and

<sup>5</sup> Japhet Ncube, 'Kabila rescues Mugabe', *City Press*, September 13, 2009, p. 10. Dumisani Muleya's interpretation of Zuma's efforts was more benign, seeing his influence behind the scenes: 'Zuma efforts ensure GNU remains burning issue', *Zimbabwe Independent*, September 10, 2009. See David Moore, "'When I am a Century Old:' Why Robert Mugabe Won't Go," Roger Southall & Henning Melber, eds., *Legacies of Power: Leadership Change and Former Presidents in Africa*, Cape Town and Uppsala, HSRC Press and Nordic Africa Institute, 2005, pp.120-50, for evidence of ZANU-PF's bag of tricks.

<sup>6</sup> Linda Freeman, "The Gulliver Position: South Africa and Zimbabwe in the Post-Apartheid Era", Paper presented at the Economic History and Development Studies Programme, October 25, 2002, published later as "South Africa's Zimbabwe Policy: Unraveling the Contradictions," *Journal of Contemporary African Studies*, 23, 2 (May 2005), pp. 147-72.

<sup>7</sup> Quote from an anonymous participant in ANC foreign policy discussions, responding to a Brazilian report doubting South Africa's credentials as a member of the Brazil, India, and China club of developing dynamos. Mmanaledi Mataboge and Mandy Roussouw, 'Brazil eyes SA's rivals: Confidential ANC document reveals doubts about the country's position as Africa's powerhouse', *Mail and Guardian*, September 11-17 2009, p. 8.

<sup>8</sup> Anthoni van Nieuwkerk, 'South Africa's Foreign Policy: Searching for effectiveness in a transforming world', *Institute for Global Dialogue Foreign Policy Conference*, Midrand, August 25, 2009.

<sup>9</sup> This comment is based on a July 2001 document apparently written by Thabo Mbeki, the essence of which has been published as 'The Mbeki-Mugabe Papers: A Discussion Document', *New Agenda*, 2<sup>nd</sup> Quarter (2008), pp. 56-75. See Mandy Rossouw, 'Mbeki's prescient warning to Bob', *Mail and Guardian*, June 27, 2008. The discussion document will be discussed later in this introduction (see note 37). For now one can comment that this reading of the NDR gives near permanent authority to liberation movements for breaking the shackles of colonial and racist rule, but it calculates that the time was far from right for their policies to veer from 'neo-liberal' economic policies. As one former member of the Zimbabwean 'Soviet oriented' left commented in 2004, all that is left of the NDR is the 'national'. The 'democratic' component was jettisoned entirely.

<sup>10</sup> Adam Habib, 'South Africa's Foreign Policy: Hegemonic Aspirations, Neoliberal Orientations and Global Transformation', *South African Journal of International Affairs*, 16, 2 (2009).

the Communist Party, *economic* liberalism may be jettisoned to some degree. Thus Habib's hope that the discourse on human rights can move beyond its first and second generation divide could be on its way to fruition.

Be that as it may, there is no guarantee that the other SADC ruling parties have moved with this perception of the times. The challenge still remains for South African foreign policy makers to work within the bounds of careful diplomacy to advance the cause of democracy for its neighbours: if no progress is made on that front it will "come back to our doorstep"<sup>11</sup> and even the most self-interested of 'realist' foreign policy approaches would be put to the test once again.

By September 2009 many SADC observers as well as Morgan Tsvangirai's Movement for Democratic Change (MDC-T)<sup>12</sup> thought the time had come for a tougher foreign policy dispensation. They believed that ZANU-PF had dishonoured the "uneasy balancing act"<sup>13</sup> arising from the Global Political Agreement signed in September 2008 and charting the road to the temporary GNU power-sharing arrangement a few months later. They deemed the South African state had borne much responsibility for the MDC taking ten years to get this close to power whilst Zimbabwe plunged into socio-economic disaster – but simultaneously acknowledged Thabo Mbeki's central role in shepherding the Zimbabwean parties to the shared government.<sup>14</sup> Thus they hoped the 'post-Polokwane' policy makers in South Africa would persuade their SADC peers to pressure Robert Mugabe into loosening his party's vice-like grip on Zimbabwe's polity and economy. Hopes abounded that SADC would tell the eighty-five year old Zimbabwe president to let the MDC win the battle *vis a vis* the political appointments, the continuation of restrictive media and associational laws, and the human rights abuses against its members. The potential of western aid to loan the eight to ten billion dollars needed to get Zimbabwe moving again – and on tap if ZANU-PF would slacken its grip enough for 'sanctions' to be removed – might have added some powerful incentives. Optimism was in the air: Morgan Tsvangirai had importuned the new president in Johannesburg a few weeks before and gained promises to move the mountains. American Secretary of State Hillary Clinton's subsequent visit to Pretoria also demonstrated a hopeful synergy on the Zimbabwe question: new politicians from both sides of the Atlantic agreed

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<sup>11</sup> Quoted in Ncube, 'Kabila rescues ...'

<sup>12</sup> 'MDC-T' refers to the Movement for Democratic Change-Tsvangirai, denoted as such since late 2005, when a group led by the MDC's Secretary-General Welshman Ncube broke away from the main party. Arthur Mutambara became president of the splinter in 2006. See Brian Raftopoulos, 'Reflections on Opposition Politics in Zimbabwe: The Politics of the Movement for Democratic Change (MDC)', Raftopoulos and Karin Alexander, eds., *Reflections on Democratic Politics in Zimbabwe*, Cape Town: Institute of Justice and Reconciliation, 2006, pp. 7-29. In the March 2008 parliamentary elections MDC-M won ten seats. MDC-T won 100 and ZANU-PF 99. With the June presidential runoff (necessitated by MDC-T's slightly less than 50% victory in the presidential election held simultaneously with the above) essentially meaningless because ZANU-PF's violence forced the MDC-T to withdraw, the parties negotiated the Global Political Agreement. Mutambara's ten seats gave him the power to become the GNU's Deputy Prime Minister beside the Prime Minister (with substantial executive powers as 'chairman of the cabinet council') Morgan Tsvangirai and the President, Robert Mugabe. On the 2008 elections and the compromises thereafter, see Susan Booysen, 'The presidential and parliamentary elections in Zimbabwe, March and June 2008', *Electoral Studies*, 28,1 (March 2009), pp. 150-4, and Electoral Institute of Southern Africa, *EISA Election Observer Mission Report No. 28: Observer Mission Report: Zimbabwe – The Zimbabwe Harmonised Elections of 29 March 2008, Presidential, Parliamentary and Local Government Elections with Postscript on the Presidential Run-off of 27 June 2008 and the Multi-party Agreement of 15 September 2008*, (authored by Booysen) Auckland Park: EISA, 2008.

<sup>13</sup> Martin Plaut, 'Zimbabwe's Uneasy Balancing Act', *BBC News*, September 16, 2008.

<sup>14</sup> Morgan Tsvangirai, Prime Minister of Zimbabwe, Speech at the University of the Witwatersrand, May 8, 2009.



on the need for big changes, and South Africa was anointed for the second time as the American's 'point man on Zimbabwe'.

Many eyes saw the GPA and the GNU as the culmination of South African influence on a decade of democratic struggle in Zimbabwe. Many MDC sympathisers and promoters of liberal democracy in Africa more generally had expected South Africa to use more of its perceived power to advance political participation and multi-partyism in Zimbabwe than it had. South Africa's 'quiet diplomacy' disappointed them. They had hoped that Nelson Mandela's human rights foreign policy agenda would march northward throughout the continent, catalysing the cause of non-racial democracy. They were concerned with Mandela's successor, Thabo Mbeki's, actions as the Zimbabwean crisis was thrust upon him almost as soon as he took power. He appeared to actively support, not just passively ignore or ineffectually try to dislodge, the increasingly dictatorial Robert Mugabe and his cohorts in their efforts to deny democracy and to hasten Zimbabwe's socio-economic ruin.

On the other hand, those who supported foreign policies emphasising the need for Africa's leaders to solve their problems within the bounds of 'sovereignty' were pleased that South Africa had assisted the Zimbabweans to come to terms among themselves. For them the GNU was an 'African solution for an African problem'. The hand of 'imperialists' (understood to be backing their 'puppet', the MDC) and their calls for more South African pressure on ZANU-PF had been stayed. They were glad to see that Zimbabwe's 'fast-track land reform' (seen by liberal democrats as no more than the invasion and destruction of efficient commercial farms and their replacement by subsistence peasant plots alongside non-productive estates for the élite) had not been turned back by the apostles of private property and the 'western' ideas of civil rights accompanying colonialism's march into its 'neo' stage. South Africa had helped their cause.

Somewhere in the middle lay a group that saw the short history of South African activities regarding their neighbour across the Limpopo as positive, although taking some time to get on track. For them the South African role had shepherded a recalcitrant ZANU-PF into an acceptance of the MDC and a broader democratic agenda without causing the ruling party to implode, instigating civil war. Indeed, ZANU-PF had reformed somewhat: in 2008 Dr. Simba Makoni had even emerged from the party as a credible presidential candidate. Furthermore, the 'west' had not had to arrive on the scene with its menu of unsustainable solutions: indeed, South Africa's 2003 appointment by George W. Bush as point-man for the Zimbabwean question meant it had carried out its role as a pivotal power with aplomb and panache. And South Africa's role as final arbiter in the event of a GNU impasse augmented its regional dominance.<sup>15</sup>

Thus representatives of various perspectives agreed on the Kinshasa meeting's importance, albeit for different reasons. Successful resolution of the GNU's problems would have vindicated South Africa's foreign policy supporters, while those who placed hopes on the *change* of regime would also have been pleased with the new broom sweeping the SADC stables. In the weeks before the meeting pundits made big predictions. Zuma's consummate 'people skills', they said, would convince his presidential peers to pressure Zimbabwean

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<sup>15</sup> David Moore, 'Now onus is on SA to Deliver: Power-sharing arrangement makes regional sovereign responsible for building a decent dispensation', *Cape Times*, February 3, 2009, p. 10.

president Robert Mugabe to remove the obstacles his party had placed in the path of a successful transitional GNU. The South Africans might even convince Zuma to stay on as the chair, the analysts hoped, because he had arrived in the midst of another man's term and President Kabila had an unfinished war on his hands. President Zuma's stern words to his Zimbabwean counterpart at Harare's Agricultural Fair the previous week would carry weight, the optimists forecasted, and democracy, good governance and human rights would flower north of the Limpopo.

Although these predictions did not materialise at the summit, the political prophets perceived a ray of hope over another horizon - a special meeting would be called in Maputo in a few weeks. Unfortunately, that beacon seemed to disappear as well into the mists of the Joint Monitoring and Implementation Committee's mandate to "guarantee" the Global Political Mandate if the parties could not hasten progress, or the GPA's promise of a "review" in a year after its founding moment. As Japhet Ncube commented, "three South African presidents – Thabo Mbeki, Kgalema Motlanthe and Jacob Zuma – had chaired the SADC and all had failed to bring the crisis in Zimbabwe to an end in their collective 12 months in charge". The DRC meeting had "ended ... any hopes Zimbabwean opposition parties had of burying Mugabe's ghost".<sup>16</sup> ZANU-PF's wily foreign-policy makers' agenda won the day. SADC only called for 'western sanctions' imposed on ZANU-PF (in that party's language, meaning on Zimbabwe as a whole, but in anti-ZANU-PF discourse referring to "mild travel and investment restrictions on the ruling party elite and its friends") to cease.

Other media commentators were also disappointed. The *Sunday Times'* Mondli Makhanya acknowledged the new South Africa's tougher line on ZANU-PF – "no longer blindly embracing" it as "part of the movement brotherhood" nor "buying into the notion that Morgan Tsvangirai's Movement for Democratic Changes is a stooge of imperialism" – but wondered if Mugabe, "firmly in place, gluttonously consuming power", would outlast all his peers and opponents alike.<sup>17</sup> Other media noted that Zimbabwe had twice flouted the SADC judicial tribunal's ruling that the invasions of seventy-eight commercial farms were illegal, and indeed stated that the tribunal was improperly constituted, but the Kinshasa meeting ignored that too.<sup>18</sup> Aid, in the context of private property's negation, would never be continued, opined the 'neo-liberal' *Economist* magazine.<sup>19</sup> As if to confirm Zimbabwe's flouting of the Global Political Agreement which promised to secure tenure to all landholders, the next week's *Sunday Times* reported a Zimbabwean cabinet directive calling for more land invasions, and that the Reserve Bank deputy-chair seized a South African farmer's Zimbabwean crocodile farm. Kingdom Meikles, one of the country's largest companies, was slated for a takeover by ZANU-PF as well. Ironically, this was just a few days after Mugabe told a meeting of mining executives that "the sanctity of property rights and the rule of law in all its dimensions are fully respected."<sup>20</sup>

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<sup>16</sup> Ncube, 'Kabila rescues ...'

<sup>17</sup> Mondli Makhanya, 'Will another batch of leaders vanish into history before Bob crumbles?', *Sunday Times*, September 13, 2009, p. 16.

<sup>18</sup> Thomas Hubert, 'SADC tackling mission impossible', *Sunday Independent*, September 6, 2009.

<sup>19</sup> 'Out with those white farmers', *The Economist*, September 17, 2009.

<sup>20</sup> Rob Rose and Simphiwe Piliso, 'Secret paper sanctions invasion: Special Report – Mugabe's new land grab', *Sunday Times*, September 20, p. 2; Julius Cobbett, 'No end to Zim madness: Why did an MDC minister agree to the "seizure" of one of the largest local companies? *Moneyweb (SA)*, September 17, 2009.

There were, however, indications that other dynamics in Zimbabwe were pushing things forward. On the weekend after the Kinshasa meeting, a European Union visit made it clear aid would not flow without significant strides in allegiance to the GPA's timetables. The MDC-T's September 13 national council meeting indicated profound dissatisfaction with the GNU and promised to "consult ... and engage its structures and the people of Zimbabwe within a specified period to ascertain the sustainability and worthiness of the Inclusive Government". This referendum-style approach was indicated in Morgan Tsvangirai's address to the party's tenth anniversary celebrations, where he stated:

*"For the past seven months we in the MDC have shown respect, conciliation and understanding to Zanu PF and what have we got in return? Nothing.*

*They continue to act with arrogance, forgetting that it was they who lost the March election and that they are only in this agreement as we formed this Government for the wellbeing of the people of Zimbabwe.*

*They continue to violate the law, persecute our people, spread the language of hate, invade productive farms, ignore our international treaties and continue to loot of our national resources.*

*This must stop now. The MDC wants partners in this Government but ultimately our mandate is to deliver good governance to the people - and for this all we need is the trust and support of the people. ... the Zimbabwe that so many millions of our people have struggled for, believed in and voted for has not yet been achieved."*

In the unlikely event the MDC did pull out of the GNU, the circle would have been truly closed. South Africa's diplomatic dilemmas would be increased, given its heavy investment in a successful GNU.

There was a lot, then, riding on the epochal meeting. South Africa's role in the construction of the GNU and much else about Zimbabwe was widely emphasised in the weeks before the Kinshasa summit. For many advocates of democracy and human rights, South Africa's potential to facilitate positive change in Zimbabwe in the past decade had been misspent: they hoped the new regime would change this. In 2009, the number of new names of people in power who might have influence over Zimbabwe's fate suggested the possibility of bolstering the positive elements of Zimbabwe's shaky system of co-rule.

South Africa's new president, Jacob Zuma, admitted in the August 3 meeting with Zimbabwe's (new) Prime Minister Morgan Tsvangirai that the GNU, shared with Zimbabwe's President Robert Mugabe, was encumbered by a "few but very weighty issues". He promised to raise these problems with Zimbabwe's president on his forthcoming visit, as well as with members of SADC before the Kinshasa meeting. A few days later Hillary Clinton, the (new) Secretary of State for a (new) president of the United States, visited South Africa and advised Jacob Zuma and his (new) Minister of International Relations and Co-operation, Maite Nkoana-Mashabane, to increase pressure on Robert Mugabe to follow the GPA more closely. Clinton assured Zuma that the United States of America and the United Kingdom were eager to remove 'sanctions' on Zimbabwe but needed clear indications of improvements in ZANU-PF's record. Reports indicated that the Zuma office was highly motivated to exert pressure on the Zimbabwean protagonists.

Thus there was much anticipation in advance of the decade-marking meeting. Hope is often inspired by 'newness', as an opportunity to ignore the long-laid structures of the past. If these 'new' powerful people – all representing clean sweeps of their respective state-society complexes – could not change the trajectory of a small country like Zimbabwe, who could? If they could not, would that mean the practice of protecting the sovereign right of rulers to do what they want was a nearly ingrained prerogative of foreign policy, trumping fundamental human rights concerns at every turn? After all, that is what the *structure* of the international system seems to condition: sovereigns don't interfere with their peers' domestic politics because they prefer their colleagues to keep out of *their* business too. The 'realist' school of international relations says never to bother other countries unless they bother you, or their internal problems will play havoc with your domestic polity – unless of course you have a good chance of turning whatever transpires to your advantage. Given the difficulties of assuring that, mutual non-interference seems the best policy. The 'idealists', however, say that the big powers with good values should make sure they are enforced in other countries: the rules of fair play and quiet commerce tend to spread democracy and peace throughout the world, and sometimes it pays to add a little force to accelerate their natural flow. Are the idealists stymied by the very system they hope to overturn?

When going back into the comparative history of these debates it should be remembered that 'realists' cautioned their American statesmen *not* to enter the Vietnam left in tatters by the French colonialists and skewed by the Cold War. The pursuit of excessive anti-communism in a far-flung place was not in the objective interests of the United States of America, they said. It was none of their business and the costs would exceed the benefits. Perhaps they were correct, as the loss of Vietnam left the American economy deeply in debt and its leadership of the 'free world' diminished. Could the same be said about Afghanistan at the end of the 1970s and now? The investment in the post-1979 battles helped bleed the Soviet Union, contributing to the end of its super-power status and capitalism's greatest ideological challenge. But Afghanistan is still mired in horror, and the 'blowback' of US support for the *mujahedeen* laid tracks directly to September 11 2001. Furthermore and on a grander scale, with no ideology to guide China in the post-Cold War era but capitalism, in a few decades the USA may be struggling to remain a powerhouse. By destroying 'communism' the USA may have strengthened its competition across the Pacific. What good did American interference in Vietnam or Afghanistan – let alone Iraq – do?

Of course, with longer historical perspective, choices appear even less clear, and the differences between 'realism' and 'idealism' become vaguer. The increasing interpenetration of national societies – 'globalisation' being the buzzword for that – also makes it harder to separate what is in and out of the 'nation' that defines 'national interest'. In Africa, where 'nations' are only recently forming identities of their own out of the colonial creations sketched at the 19<sup>th</sup> century's close, interests of class and ethnicity intertwine with nation, all merging with the complexities of state and capital formation amidst the gradual increase in people's political and economic participation – including migration – that marks out the terrain of 'democracy' with a global dimension.

Yet in spite of the interpenetration of political economies, state actors continue to act with the pretence of autonomous power. Perhaps 'middle powers' and regional hegemons in Africa's political economy are prone to the muscle flexing carried out by their larger peers

on the world stage – but with their neighbours: witness Tanzania’s much-thanked erasure of Idi Amin from Uganda’s political scene, not to mention its president’s larger than life role in the Zimbabwean liberation movement too. On closer inspection, however, if one queries how long it took Yoweri Museveni to create order out of the chaos, and how he did it (nearly a decade of the first guerrilla war within a post-colonial African state) one might hesitate to extend too much gratitude.<sup>21</sup> All the lessons of over-ambitious interventions around the world must weigh heavily on South African foreign policy-maker’s minds. Of course, the critics say only a little interference to hasten the Mandela legacy was ever really needed in this case. Having Eskom stop extending Zimbabwe’s debts sooner, ceasing the ritualistic ‘OKs’ of observation teams of far too many stolen elections, or the refusal to co-operate in security arrangements are just a few examples of small actions South Africa could have taken, which do not amount to sending in the troops. Indeed, accusations of another sort of intercession – actively encouraging MDC’s latent fragmentation and working with ZANU-PF to ‘reform’ it – simply bolstered the liberals’ pleas for the *right sort* of intrusion. The case may not have been that the South Africans were playing the ‘realist’ game of *laissez-faire* diplomacy but a ‘constructive engagement’ with a ZANU-PF that simply took the Pretoria diplomats for a long ride.

All of these elements contribute to the contemporary contradictions of political and economic struggles in the southern African region, but at certain conjunctures new players portend a clean sweep of change through the dusty entanglements of years gone past. In late 2009, there were lots of ‘new’ players on the block. The United States were led by an African-American for whom labels of ‘imperialist’ would be harder to stick than to the man who had invaded Iraq in the name of human rights as well as oil. The South Africans’ presidential choice was a man who stood for the ‘Polokwane revolution’, promising to democratise all aspects of the once overly-centralised regime seen by many as devoted to *realpolitik* and solidarity with sovereigns rather than with people’s human rights. To add to the positive portents, South Africa was widely seen as greatly responsible for persuading – or forcing – the Zimbabwean politicians to come together in the GNU. It would do its current rulers well to be seen to make it work.

South Africa foreign policy was expected to turn back to the direction of the Mandela era in which human rights were widely viewed as taking precedence. The (new) deputy minister of International Relations and Co-operation Ebrahim Ebrahim stated that the attitude to Zimbabwe now would take “a different tone ... more critical of Mugabe” and would consider his “human rights violations.”<sup>22</sup> Ebrahim stated that Zimbabwe’s government of national unity was “a flawed agreement and the onus should be put on SADC who put the agreement together initially, to ensure that Mugabe upholds the agreement.” For good measure, Ebrahim took a line against that of the ‘West’, which was not extending any aid to the Zimbabwean government until it showed more signs of good governance and less of Mugabe. “The international community” advised Ebrahim, “should assist Zimbabwe in recovering from the economic mess it is in now.” The South Africans were not keen on ‘Humanitarian Plus’ – the emerging form of aid for Zimbabwe somewhere between pure

<sup>21</sup> Caroline Thomas, *New states, Sovereignty and Intervention*, Aldershot: Gower, 1985.

<sup>22</sup> Maureen Isaacson, ‘The man with the president’s ear and the African agenda: Ebrahim Ebrahim believes it’s time for South Africa to take a strong stand on human rights’, *Sunday Independent*, June 7, 2009. Ebrahim is the first Deputy Minister of International Relations and Co-operation.

crisis assistance administered directly by the global panoply of multilateral agencies and non-governmental bodies and 'normal' development assistance handled through governments – which was preferred by donor governments who did not like to see their funds absorbed by a régime still too Mugabe-like for their liking.

South African struggle stalwart Mac Maharaj also wrote that Robert Mugabe was not being pressured to make “real concessions” towards the Zimbabwean transitional arrangement.<sup>23</sup> He was, Maharaj said, using his position “to pare down the effects of the deal on [his] powers and diminish the powers of [his] coalition partner”. Furthermore – and here is the ‘realist’ line – the instability radiating from Zimbabwe would “ripple through” its neighbouring countries. Maharaj opined that “it is time to put ... Mugabe under pressure.” Observers thought that with two such important Zuma comrades weighing in against the GPA’s abuse, new times might indeed be following new personnel. Those hoping for positive change in Zimbabwe were also heartened by the rumour that Zuma’s trip to Angola just before Zimbabwe resulted in Angolan President Eduardo dos Santos agreeing to assist the Zimbabwe project in return for more leeway to do business in the Democratic Republic of the Congo: South Africa’s twice yearly meetings with the DRC-SA bilateral committee were reduced to an annual get together.

Zimbabweans, however, were not sure that Zuma would make a difference. A week before his visit to Zimbabwe’s agricultural show, when it was anticipated that Mugabe would be advised in advance of the Kinshasa SADC meeting that Zuma would push for “the full consummation of the [GPA] deal before his term as head of the regional bloc ends”, Harare analysts were sceptical of Zuma’s chances.<sup>24</sup> Meanwhile, ZANU-PF and the MDC-T continued to trade blame. Mugabe appeared to be beating Zuma to the draw at lining up SADC ministers on his side as he travelled to Namibia to sound its rulers out. Less than two weeks before the Kinshasa meeting, SADC Executive Dr. Tomaz Salomao admitted that the Zimbabweans had not decided which man – Morgan Tsvangirai or Robert Mugabe – should attend the September meeting.<sup>25</sup> Yet on August 27, just a day before President Zuma travelled to Zimbabwe to speak to the three leading members of the Zimbabwean transitional government, a ‘new’ ANC Secretary-General, Gwede Mantashe, said to the press that Zuma would be vocal about ZANU-PF’s “adolescent” and “deviant behaviour”, such as walking out of meetings (ZANU-PF cabinet members had stormed out of a retreat a few days before when Deputy Prime Minister Arthur Mutambara accused them of stealing the last elections) and harassing MDC activists<sup>26</sup>. In remarks unthinkable during Mbeki’s rule, Mantashe said that all sides in Zimbabwe had to understand that they did not have the “luxury of adolescent behaviour. You must be more mature. You must engage.”

However, media reports of Zuma’s Zimbabwe trip demonstrated that the confusion continued. One report, by a Zimbabwean for the *Weekender* had President Zuma coming down hard on Robert Mugabe. His public speech at the Agricultural Show (which for days in advance ZANU-PF’s media managers said was the *only* reason he would be in town) was,

<sup>23</sup> Mac Maharaj, ‘Finally, the condoned become the condemned,’ *Sunday Times*, June 7, 2009.

<sup>24</sup> Constantine Chimakure, ‘SA Leverage on Zim Politics Overstated - Analysts’, *Zimbabwe Independent* August 20, 2009; Faith Zaba, ‘Mugabe Diverts Unity Govt Review’, *Zimbabwe Independent*, August 20, 2009.

<sup>25</sup> Tshireletso Letsebe, ‘Global economic crisis implication tops SADC summit agenda’, *Botswana Daily News*, August 28, 2009.

<sup>26</sup> Dumisani Muleya, ‘Zimbabwe: Mugabe Faces Tougher Scrutiny, Says ANC’, *Business Day*, 27 August 27, 2009.

wrote Dumisani Muleya, a “thinly veiled attack” on Mugabe. Zuma said “to his face that Harare had to embrace a culture of good governance and human rights”. Furthermore, Muleya emphasised the seeming divergence with South Africa’s former leader: he opined that Zuma’s stance was “a marked departure from the weak and ineffective ‘quiet diplomacy’ promoted by former president Thabo Mbeki.” The speech emphasised the liberal discourses of “democracy, respect of human rights and improvement of governance”: this was a “direct challenge to Mugabe’s politics of solidarity in the region and on the continent, which had helped him to escape censure for repression and human rights abuses for years”.<sup>27</sup>

Other South African media toned down these ‘direct challenges’, emphasising instead Zuma’s assertions of “positive developments” in the Joint Monitoring and Implementation Committee. This body, “guaranteed and underwritten by the SADC Facilitator, SADC and the African Union” was comprised of four members from each party of the GNU and was supposed to assess and ensure “the implementation, in letter and spirit, of the Global Political Agreement”<sup>28</sup>. Zuma said it was “progressing well”, in spite of the fact that many observers, and some of its members, have admitted that it is “toothless”.<sup>29</sup> Zuma called the monetary situation “a creative multi-currency system” and his advice that “the international community [should] remove any remaining hindrances to Zimbabwe’s recovery including sanctions” was emphasised without the qualification noted in Muleya’s account. Most importantly – and perhaps ambiguously – Zuma said, “the challenge we face is to ensure that Zimbabwe’s recovery is completed in the shortest space of time.”<sup>30</sup>

The *Sunday Times* followed the positive tone of the previous day’s *Weekender*, saying Zuma had “read the riot act” to Mugabe and his party, sparing no effort to impress the Zimbabwean rulers of his displeasure with their “dilly-dallying”, and that he promised to present a full report to the Kinshasa meeting. However, there was a different slant in the *City Press*, reputed to be a ‘pro-Mbeki’ paper in the past. Tangai Chipangura wrote that Zuma’s visit had appeared to have “dashed” the MDC’s hopes for its “fair share of power and influence in the inclusive government”.<sup>31</sup> The “enigmatic Robert Mugabe” had successfully “diffused and deflated” the promise of Zuma’s trip, wrote the Zimbabwean journalist. As he quoted political scientist Eldred Masunungure, the MDC was “afraid Zuma had failed them.” Mugabe had taken Zuma and the MDC “down the garden path again”. Zuma met all three GNU leaders individually, twice, so he would not have to rely solely on SADC mediator Thabo Mbeki’s own report.<sup>32</sup> On the eve of a SADC meeting that would mark South Africa’s new era of foreign policy, or simply encase the old one, there was enough room in this address for all sides to take equal measures of comfort and disquiet.

There were many indications of ambiguity. In early August Prime Minister Tsvangirai advised South African business people to trust and invest on a Friday night (as he had a few weeks

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<sup>27</sup> Dumisani Muleya, ‘Battle lines drawn as Zuma takes hard line on Zimbabwe’, *The Weekender*, August 29-30, 2009.

<sup>28</sup> Paragraph 22 of Article XXII of the Global Political Agreement.

<sup>29</sup> Violet Gonda, ‘Hot seat interview with Joint Monitoring and Implementation Committee (JOMIC) member Tabitha Khumalo’, *SW Radio Africa*, July 24, 2009. In July the leaders of the MDC parties sent a letter to SADC’s Secretary-General complaining of ZANU-PF’s abrogation of the GNU. Its delivery was denied.

<sup>30</sup> ‘Zim must recover quickly – Zuma’, *News 24* August 28, 2009.

<sup>31</sup> Tangai Chipangura, ‘Zuma leaves Zim in “funeral” mode’, *City Press*, August 30, 2009.

<sup>32</sup> Stanley Gama, ‘Zuma put pressure on Mugabe in talks’, *Cape Argus*, August 29, 2009.

before in Washington and the capitals of Europe), and the next Monday he importuned the South African president to persuade his adversarial partner to follow the rules of the governing protocols. An award winning documentary emerged from England illustrating the continuing take-over of white-owned commercial farms and the Zimbabwean government's thumbing its nose at the SADC court's ruling that such acts were illegal and 'racist', while another widely watched Channel Four production illustrated how British cricket stars and white Zimbabwean crooks had funded ZANU-PF's last 'election' and stole farms from Zimbabwean blacks,<sup>33</sup> yet ministers and businessmen said that the much-delayed signing of the Bilateral Investment Protection Agreement that would protect private property was just around the corner. MDC parliamentarians were being arrested for the most bizarre reasons so their parliamentary majority would disappear. Reports of the ZANU-PF militias increasing their numbers in the rural areas came in, as the party prepared for an election less than two years away. Soldiers in Marange and Chiadzwa were dispossessing – and killing and torturing – peasants from their lands in order to take diamonds.<sup>34</sup>

South Africa's main opposition party, the Democratic Alliance, released a report saying that the South African government was selling arms to the Zimbabwean military and that the only way peace, good government and clean elections could be guaranteed would be for huge teams of observers to monitor a forthcoming constitutional referendum "in time."<sup>35</sup> Predictions of civil war between factions of the party that had ruled Zimbabwe for nearly thirty years were rife, prompting one observer to remark that had the 2000 election results (a victory for the MDC stolen by ZANU-PF, as was the case for all the elections until March 2008) been allowed to stand, in nine years the MDC would have been voted out of office to be replaced by a ZANU-PF which would have had to change its leader, reform or die. Now, it still had Mugabe at its head, it had not reformed, and many people had died and more still would. Yet just as many reports in the press and from governmental officials, from all parties, claimed the agreement was on track, that governments of national unity were the solution (after all, had not South Africa worked its way out of apartheid through one, and was not the one in Kenya saving it from implosion?). Besides, as those supporting the GNU chorused, there were simply no 'Plan B's.

The problem was, as one South African political analyst noted, there were three people in the deal who did not really want to be there – but they did not see a way out either. If one party left and hoped elections would solve the problem, it was unlikely that SADC, the AU, or the UN would administer them. This meant if elections were called, ZANU-PF would still have far too much control. Indeed it was planning a campaign that would make *Gukurahundi*<sup>36</sup> look like a tickle. If ZANU-PF pulled out, it would have to increase its militaristic ante. That would not be stable and would not be greeted kindly by SADC.<sup>37</sup>

<sup>33</sup> Lucy Bailey and Andrew Thompson, *Mugabe and the White African*, London: Arturi Films, 2009; Dispatches, *Bankrolling Mugabe*, London: Channel 4, 2009.

<sup>34</sup> Human Rights Watch, *Diamonds in the Rough*, New York: Human Rights Watch, June 2009.

<sup>35</sup> ["DA statement following a fact-finding mission to Zimbabwe"](#), Joint statement by Dr James Wilmot, Democratic Alliance MP and Parliamentary Representative to the Southern African Development Community (SADC) Parliamentary Forum and Kenneth Mubu, DA Shadow Minister of International Relations, August 6 2009.

<sup>36</sup> Shona for 'the rain that washes away the chaff', referring to the Matabeleland massacres of the mid-80's

<sup>37</sup> Interviews in Gaborone, August 27 2009.



Thus as the SADC meeting approached at which the DRC's Joseph Kabila took up the baton, it still seemed as if the GPA was 'the only game in town.' In the absence of ZANU-PF's will, and both MDC parties' power, to make it work, it remained for the region's hegemon to bring the GPA to fruition. A just and viable constitution and free and fair elections were clearly laid out in the document that South Africa had hoped would lead to the cessation of Zimbabwe's problems. If they did not transpire, the diplomacy that led to it would be remembered with disillusionment.

How did the decade begin, and on what intellectual foundation? In 2001, a widely circulated document from the inner sanctums of the South African ruling party and state called "How Will Zimbabwe Defeat Its Enemies!" set the tone for the next ten disenchanting years. It stated on its first page that although Zimbabwe "was confronted by a number of problems that require urgent solutions ... the party of the revolution must carry out this task; that is ZANU-PF".<sup>38</sup> Soon after the document's release, the message went out to ANC branches that ZANU-PF should be supported as the party of the revolution. The paper characterised the "challenges of the second phase of the National Democratic Revolution in Zimbabwe" as resulting from relying on the public sector and borrowing in its efforts to deliver welfare to its citizens, in the context of too many 'sunset clauses' guaranteeing white power in the Lancaster House constitution of 1979. This resulted in savings feeding into debt service and social service expenditure ("put crudely" the paper opined, "the party of the revolution sought to use the fact of its being the ruling party to use public resources to buy the allegiance of the masses ... It sought to ... bribe the people [and] ... the bribes were unaffordable") rather than "financing new investments in the productive sectors of the economy."<sup>39</sup> "How Will Zimbabwe Defeat ..." continued to patiently explain the 'laws of supply and demand', the need not to alienate 'white capital', and the fact that ZANU-PF had lost democratic legitimacy<sup>40</sup> – ideas that would seem to be associated with ZANU-PF caricatures of MDC 'liberal-puppet-imperialist' philosophy.

For these reasons the 'war-vets' – "declassed individuals" including "the lumpen proletariat" who "accept the illegal use of force as a necessary element in their mode of existence"

<sup>38</sup> 'How Will Zimbabwe Defeat Its Enemies? A Discussion Document,' 10 July 2001, pp. 370. The section on Zimbabwe is part of a larger document – it is paginated 370-99. As broached in footnote 7, the essence of the intervention has been published in *New Agenda*, and was flagged in June 2008's *Mail and Guardian*, wherein the document is linked to the web. There seem to be some differences between the original and the *New Agenda* paper, however. For example, on page 370 of the original, the second paragraph begins "The question then arises – who shall carry out the complex task of elaborating this correct and objective characterisation of the problems facing Zimbabwe?" The paper on the website reads: "The question must arise – who shall carry out the complex task of elaborating this correct and objective characterisation of the problems facing Zimbabwe!" Note the replacement of the question mark with the exclamation mark. Other differences on the first page include the fact that in the first version this line – "we must make the point that the challenges that ZANU-PF has faced over the last 20 years are qualitatively no different from the situation we face" (!) – does *not* exist: it is in the *New Agenda* version. That opinion reminds one of the wry observation of a leftist Zimbabwean in the mid-1980s: "Zimbabwe is the trailer: South Africa is the movie"! More careful exegesis will be necessary to discern strategic differences in the two documents. In the meantime, this paper shall utilise the original, on the assumption that from 2001 to 2008 it was circulating through the ANC foreign policy making circles.

<sup>39</sup> Anonymous, 'How Will ...', p. 378, 383.

<sup>40</sup> Anonymous, 'How Will ...', p. 383 admits that by 2000 it had become "impossible" for ZANU-PF "further [sic] to advance the fourth task of the Second Phase of the National Democratic Revolution of further deepening democracy. ... politically the party of revolution had lost the support of significant sections of the population of Zimbabwe. In this situation it becomes impossible for the party of revolution of [sic] mobilise these masses further to take power into their hands within the democratic order and to become their own liberators from the scourges of poverty and underdevelopment".

became elevated ... to the position ... as the 'true' representatives of the people,"<sup>41</sup> forcing the ruling party to follow its lead, legal or otherwise. In order to regain democracy lost – which, the document is clear, is paramount – the ruling party should distance itself from the war-vets and defend "democratic institutions and processes."<sup>42</sup> On the international front, it must think carefully about its relations with the IMF and the UK "bearing in mind the international balance of forces", which had changed a lot since the end of the Cold War.

The South African advisors to the 'party of revolution' in Zimbabwe made harsh recommendations: the party would have to mobilise all the sectors of society that had lost faith in it – including the minority and "white commercial farmers" and others against which it had fought during the National Democratic Revolution's "first phase".<sup>43</sup> The strategies of 'reaching out' to gain the allies needed to implement the necessary economic policies included *avoiding* "driving away anyone both in Zimbabwe and internationally ... on the basis that they are necessarily involved in 'neo-imperialist machinations aimed at limiting national sovereignty'" and having "free and fair elections in the Presidential elections next year [2002]".<sup>44</sup> In other words, the document, using the ANC's standard language of the National Democratic Revolution, advocated that ZANU-PF adopt the policies and practice of the MDC in order to beat it at its own game. History has shown that ZANU-PF did not follow this advice. However, South African foreign policy continued to support ZANU-PF (by accepting the results of the 2002 election as reflecting Zimbabweans' will, for example) in the hopes that some force from within – perhaps aided by South Africa – could emerge to take up its wise advice.<sup>45</sup> This is compatible with the theory of the National Democratic Revolution in its Zimbabwe version. One has to ask: why was ZANU-PF seen for so long as the vehicle of the North of the Limpopo style National Democratic Revolution?

The past will be revealed with patient historical research: time constraints prevent a study such as this from such detective work. All it can do is lay the parameters of the past era of diplomacy and attempt an outline of the dynamics still at play. It is important to remember that the present terrain is very much a product of South Africa's *previous* foreign policy regime – i.e. Thabo Mbeki – before he was ousted from the country's presidency in the last week of September 2008.<sup>46</sup> As Maureen Isaacson has noted in her analysis of Jacob Zuma's first 100 days, he has said that "Mbeki's legacy would live on in South Africa's foreign policy", but that he was determined to "reverse [Zimbabwe's] economic collapse". How? According to Lindiwe Zulu, his special adviser on international relations and co-operation, "We have to ensure the agreement of the government of national unity is implemented." If

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<sup>41</sup> Anonymous, 'How Will ...', p. 384.

<sup>42</sup> Anonymous, 'How Will ...', p. 368

<sup>43</sup> Anonymous, 'How Will ...', p. 393.

<sup>44</sup> Anonymous, 'How Will ...', p. 396.

<sup>45</sup> R. W. Johnson, *South Africa's Brave New World: The Beloved Country Since the End of Apartheid*, London: Allen Lane, 2009, although mislabelling the head of the South African 2002 election observation team as the ambassador (p. 346), and missing the rumour that its technical head is reported to have written the report on telephone advice from the president, epitomises the liberal critique and appears to have good sources. As for the 2008 presidential component of the 'harmonised' elections, Johnson claims that when Mbeki learned of Mugabe's defeat – to the tune of 58% for Tsvangirai and only 27% for Mugabe – the South African president tried to persuade Mugabe to resign, to be replaced by Simba Makoni (who had run for president himself, widely rumoured to be supported, by South Africa) whose victory could be arranged comfortably (p. 366). Johnson is an acerbic ANC critic so his versions must be treated with some scepticism, but also as starting points for more research.

<sup>46</sup> Roger Southall, 'The Death of Quiet Diplomacy?' *Open Democracy News Analysis*, October 21, 2008, <http://www.opendemocracy.net/article/zimbabwe-the-death-of-quiet-diplomacy>.

Zulu's assessment that "the Europeans and the US want to see an end to sanctions and to the arrests of Movement for Democratic Change members and farm occupations," is correct, that is the ground on which Zuma walked to Kinshasa.<sup>47</sup> But it collapsed to reveal a yawning canyon in the face of SADC solidarity.

Another 'test' for the Zuma presidency's democratic aspirations as it moved in the rough diplomatic terrain left by its predecessor was an appeal that pointed to the relations between 'civil society' and the new regime. The Southern African Centre for the Survivors of Torture, the South African History Archive and the Southern Africa Litigation Centre followed up their early 2009 request to the highest office of the land to release a report commissioned in May 2008 from six retired South African Generals. The team, led by Lt-General Gilbert Lebeko Romano, was to "assess the allegations of post-election violence committed in Zimbabwe and to present a report to [Thabo Mbeki] on such findings." The civil society activists were told on their first request that such a report did not exist. Their next step was to approach the presidency in advance of the September 2009 SADC meeting. They asked:

*"[F]ormer President Mbeki to fulfil his SADC appointed mandate and produce the Generals' report or, in the alternative, to clarify how the obligation owed to SADC member states to afford them the opportunity to properly consider and to determine appropriate response to the Zimbabwe situation could be discharged in the absence of a record of the crucial assessment undertaken by the Generals. [Or, the request asked] South African President Zuma to fulfil South Africa's obligations of collegiality [sic] to SADC member states by producing the Generals' report and associated documentation, if such documentation is in possession of the South African government."*<sup>48</sup>

This issue indicates the line in liberal democracies that divides the secretive world of foreign policy making – spies and counter-spies, tapped phone lines, etc. – and 'thicker' democracies which build the 'people's' sovereignty. *Les affaires d'états* are traditionally carried out in the (not so traditionally) smoke-free rooms of quiet diplomacy. Any intrusion on that space by 'civil society' could be considered a victory for a form of democracy that begins to transcend the liberal lines of the *status quo*: as democracy gets 'thicker' that line between foreign affairs and the peoples' voice gets thinner. Whether civil society could transcend that line would in the Zuma era would become evident in Kinshasa – the home, incidentally, where much of the democratic promise of African dreams of independence were raised and crushed with Patrice Lumumba's fate.<sup>49</sup> Whether South Africa would be capable of bridging the gap between foreign policies of idealism and realism, or even the

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<sup>47</sup> Maureen Isaacson, 'Whip-cracking Zuma turns man of action', *Sunday Independent*, August 16, 2009.

<sup>48</sup> Southern African Centre for the Survivors of Torture, the South African History Archive and the Southern Africa Litigation Centre, *The 29th SADC Summit of Heads of State and Government and the Obligation to Make Public the South African Generals Report on Post-Election Violence in Zimbabwe*, August 28, 2009.

<sup>49</sup> David Moore, 'Lumumba: History or Hagiography?' Vivian Bickford-Smith and Richard Mendelsohn, eds., *Black and White in Colour: The African Past on Screen*, Cape Town, Oxford, Athens: Double Storey, James Currey, University of Ohio Press, 2006, pp. 223-39.

wider one between 'liberal' and 'social' rights, was the question that the Zimbabwe issue has started to answer.<sup>50</sup>

The most appropriate way to carry out the task of analysing these ten years of South African-Zimbabwean relations is to survey the events influenced by South Africa's foreign policy that have led to the current situation in Zimbabwe – the transitional Government of National Unity – most immediately, and to canvass a range of interpretations of their causes and possible consequences. Thus the first chapter in this study will review relevant internal, bilateral, regional and international policy shifts and political changes following the September 15<sup>th</sup> 2008 signing of the Global Political Agreement (GPA)<sup>51</sup>. This includes a focus on the relation of shifts in the South African domestic political arena, including changes to the South African Government and African National Congress leadership, to Zimbabwe.

This first chapter will be followed by others presenting a longer history of this 'special relationship': the foundations on which the current system of the neighbours' governance has been built and the next political dispensation will be constructed, for better or worse. Readers will be able to judge the accuracy of the assessment wondering if South Africa's foreign policy was paralysed between the Scylla of being too pushy and the Charybdis of too much humility. Of course, such generalities can be interpreted widely: South Africa may have punched beyond its ability in Zimbabwe by giving too much time to ZANU-PF to reform; it may have been too reticent in its hesitation to advance the march of human rights and democracy; or it may have prevaricated between humility and arrogance, doing nothing while Harare destroyed itself – and the consequences spread to its neighbours.

Judgement can only be made with a careful assessment of recent history. This short attempt is only a beginning at that process – its authors have neither had the time or distance to perform historical research properly, the tenacity and occasion to question its protagonists deeply, nor the specialised expertise of foreign policy analysts to probe theoretically. They hope, though, that these words will help in the unfinished business of promoting both thick and thin versions of democracy across the continent. The following words will allow an initial evaluation of South Africa's performance of these still ongoing tasks regarding its most important African neighbour. The next few years will see if this appraisal is accurate – even though the situation is a moving target, subject to the influence of many factors and fortune.

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<sup>50</sup> Adam Habib, 'South Africa's Foreign Policy: Hegemonic Aspirations, Neoliberal Orientations and Global Transformation', *Institute of Global Dialogue Conference on South African Foreign Policy in the Zuma Era*, Midrand: August 26-27, 2009.

<sup>51</sup> The Global Political Agreement is first referred to as Agenda item 4.4 in the Memorandum of Understanding (MoU) signed between ZANU-PF, the two MDC formations and Thabo Mbeki as the SADC Facilitator on the 21<sup>st</sup> July 2008. This MoU set the framework for the following dialogue.

# Chapter 1: The Current Conjuncture

This chapter outlines relevant internal, bilateral, regional and international policy shifts and political changes since the September 15<sup>th</sup> 2008 signing of the Global Political Agreement (GPA) and including, most importantly, the period after the inauguration of the transitional Government of National Unity on February 11 2009 – an inauguration which surprised not a few, given the Movement for Democratic Change’s prevarications, due to ZANU-PF’s many usurpations of the GPA before the day itself<sup>52</sup>. This comprises a focus on the shifts in the South African domestic political arena, including changes to the South African Government and African National Congress leadership, to Zimbabwe.

The chapter begins by capturing the perceptions and opinions of key members and influential stakeholders in the Southern African Liaison Office (SALO)<sup>53</sup> Building International Consensus (BIC) network<sup>54</sup>, which over the last three years has been bringing together a number of diplomats, civil society leaders, policy makers and other important players in the region to try and bridge the gap over the Zimbabwe conflict between the West and Africa, the North and the South. The purpose of this focus on the views expressed by network members is to extract the potential significance of events during the period September 2008 to June 2009. The chapter then explores and analyses the impact of the specific shifts and changes that have taken place since September 2008, in the context of the current Zimbabwean context, including its transitional political aspects, the economic and humanitarian crises, and the effects and implications of migration and the Zimbabwean Diaspora. Finally it outlines scenarios informing the roles and responsibilities of state and non-state actors at national and international levels, prioritising policy issues and focusing efforts to move processes of democratisation, reconstruction and development in the Zimbabwean and Southern African Development Community (SADC) forward.

## **The Relativity of Change in Zimbabwe**

A robust debate still rages amongst local and international stakeholders about the significance of the GPA as a basis for real change. While it is certain that some change has resulted from the formation of the New Government (NG)<sup>55</sup> following the signing of the agreement, political commentators, civil society representatives and policy makers are

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<sup>52</sup> The Global Political Agreement is first referred to as Agenda item 4.4 in the Memorandum of Understanding (MoU) signed between ZANU-PF, the two MDC formations and Thabo Mbeki as the SADC Facilitator on the 21<sup>st</sup> July 2008. This MoU set the framework for the dialogue that followed.

<sup>53</sup> SALO was formed in 2004 under the name ‘Zimbabwe Liaison Office’. In June 2006, the name was changed to the ‘South African Liaison Office’ to reflect the base of the organization in South Africa and to highlight the wider scope of activities it began to undertake in countries including Swaziland. Recently, the name was changed again to the ‘Southern African Liaison Office’ to recognize the growing regional focus of the organization.

<sup>54</sup> The SALO BIC Network brings together key strategic thinkers, state and non-state, with an emphasis on finding common ground between governments in Africa and the West, through a facilitated dialogue process that includes the active involvement of civil society stakeholders.

<sup>55</sup> Article 1.1 of the Global Political Agreement signed on September 15, 2008 defines the Government formed under the agreement as the “Government” or “New Government”. It is often referred to as a Unity Government, a Government of National Unity or an Inclusive Government.

divided in their assessment of its effectiveness as the basis for social, political and economic transformation.

Critics of the GPA argue that it is an elite deal forced on the MDC. They say it is only a sideshow agreed to by ZANU-PF hardliners trying to gain international acceptance for a process entrenching an undemocratic hold on power. For them, the GPA is not a genuine attempt at democratisation. This theory will be vindicated or laid to rest only through the implementation of the GPA's sections outlining the process of drawing up and agreeing to a new constitution, followed by the successful laying of the foundations for a new legitimate election – or in failing to do so. The long history of ZANU-PF violence, and the manner in which the Zimbabwean military had effectively captured the state prior to the signing of the agreement, raise further cause for concern as to the effectiveness of dialogue as a strategy for shifting power

Despite these doubts and the legitimacy of the concerns raised, most agree that the GPA was the only framework on the table providing an alternative to the violent struggle for power characterising the pre- and immediate post-election period – for now at least. Professor Brian Raftopoulos, the Solidarity Peace Trust's Director of Research and Advocacy and SALO Board member, summarised the situation:

*"The ... GPA in Zimbabwe has produced a fragile possibility of hope, unlike the recent past. The conflicts and tensions between the contending political parties, combined with the politics of the donor community and the impending strictures of another round of neo-liberal economic reforms, provide all the ingredients for a hard road to renewal littered with explosive possibilities. The MDC and its supporters stand between an embattled optimism and the realization that the alternatives could be a great deal worse"<sup>56</sup>.*

South African President Jacob Zuma acknowledged both the fragility of the situation and the need to recognise the GPA as the starting point of a much longer process. Shortly after his inauguration he stated that the creation of a unity government where Mugabe and opposition leader Morgan Tsvangirai share power had begun Zimbabwe's stabilisation, but it was only a starting point:

*"You cannot say it has stabilised but it has entered a phase of stabilization. Politically, the GPA was the only option. There was nothing else".<sup>57</sup>*

This follows the statement by the Director General of the then Department of Foreign Affairs, Ayanda Ntsaluba, in an April 2009 media brief. He spoke of the parties':

*"... sense of greater coherence and a strong commitment ... to work together that augurs well for Zimbabwe. That does not mean that there will be no challenges or immediate difficulties but we are encouraged by the fact that at least up to now whatever challenges do*

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<sup>56</sup> Brian Raftopoulos, 'The MDC, Neoliberalism and the challenges of post-colonial change', draft, 2009.

<sup>57</sup> Reuters Interview with President Jacob Zuma, March 27, 2009.

*exist the inclusive government has felt that it is within [its] capacity ... in terms of the GPA, to deal with those issues".<sup>58</sup>*

Substantial analysis of the Zimbabwean context was shared at the SALO Building International Consensus (BIC) meeting on April 20, 2009. In his address, Swedish Ambassador to Zimbabwe Sten Rylander, respected anti-apartheid campaigner and pro-democracy activist, also called for a positive outlook on the process. Welcoming Hon. Minister of Economic Planning and Investment Promotion Elton Mangoma, he noted that it was 'part of his hard work':

*to preach the good message that things are changing in Zimbabwe. Things are different and are moving in a better direction. I think we must believe in the possibility of success for the inclusive government. It is the only show in town in Zimbabwe now. There are a lot of power struggles still, and hindrances, but they must be overcome and we must not become cynical in this process. I think we are moving towards normalisation and the reform-minded elements of the government, including the minister here, are pushing very hard in the right direction with a lot of support from a large majority of Zimbabweans and, I would submit, also with support from a majority of the ZANU--PF membership."<sup>59</sup>*

The latter part of this input is particularly relevant: to what extent are ZANU-PF members on board with the process? Dr. Leonard Kapungu, Director of the Centre for Peace Initiatives in Africa (CPIA) in Harare, spoke on this issue to a SALO meeting a few months earlier. He touched on the importance of supporting the process given the absence of alternatives:

*"I want to emphasize that if things were just left to Mugabe and Tsvangirai on their own, they would succeed. In fact Mugabe and Tsvangirai are closer to each other than they were before through these discussions. The problem is the people below these leaders. I agree with Professor Raftopoulos when he says that there is no other option; this is an agreement that we must take. I am optimistic that the agreement will finally be implemented. Why am I optimistic? Because I have no other choice. To think of any other alternative will actually bring disaster to Zimbabwe. It's incremental. Look at what we have achieved now, and what are we going to achieve? These are the building blocks and we need international support ..."<sup>60</sup>*

Amidst these calls for optimism on the GPA's prospects, some sections of the Zimbabwean civic movement have raised serious concerns about the process. In their opinion, sections of the NG intend to use the GPA framework to retain an undemocratic hold on power. Despite concerns over the potential for a return to violence if the agreement does not work, including the potential of an outright military coup, increased civic unrest, and the danger of 'civil war' within ZANU-PF referred to by Finance Minister Tendai Biti<sup>61</sup>, many civics maintain a critical outlook on the process.

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<sup>58</sup> A Ntsaluba, A Notes following briefing to media by Director-General, Department of Foreign Affairs, Union Buildings, Pretoria, April 9, 2009.

<sup>59</sup> H.E. Sten Rylander, Ambassador, Swedish Embassy, Harare, SALO BIC meeting, Pretoria, April 20, 2009.

<sup>60</sup> Dr. Leonard Kapungu, Director, Centre for Peace Initiatives in Africa, SALO BIC Pretoria, South Africa, April 20, 2009.

<sup>61</sup> Tendai Biti, Finance Minister, Zimbabwe, *Guardian*, March 13, 2009.

On the occasion of the South African Parliament's opening in May 2009, Sipho Theys, coordinator of the Zimbabwe Solidarity Forum, sent an open letter on behalf of the civil society umbrella body, the Save Zimbabwe Now Campaign, to the Honourable Max Sisulu, Speaker of the House:

*"It has become clear that none of the mechanisms put in place by SADC and the Government of National Unity can protect the citizens of Zimbabwe from the Military Generals and their belief in the right of might. The detention of [human rights and MDC activists] amounts to nothing more than another round of extra-legal abductions and they should be viewed as political detainees. That such actions can take place in the face-of global attention being paid to the current developments in Zimbabwe indicates the arrogance of the political and military elites. That they take place at a time when the GNU, including the MDC, is arguing for reinvestment and confidence building around the transition process exposes them as spoilers' intent on destroying all efforts aimed at peaceful change."*<sup>62</sup>

Amongst the most outspoken within the Zimbabwe Civic Movement are the Zimbabwe Congress of Trade Unions (ZCTU) and the National Constitutional Assembly (NCA). While much of their criticism focuses on the GPA's Constitution making aspects, their general scepticism goes beyond this. An NCA press statement on March 2 2009 clarified their position:

*"The NCA position is that the All Inclusive Government is a transitional government whose life span must not exceed 18 months. It is the NCA's view that this aspect, which is the assumption of the overwhelming majority of Zimbabweans, must be accepted by the All Inclusive Government itself. We note that there are many in the All Inclusive Government who want to have this arrangement last for a five-year period. Zimbabweans must not allow this. The NCA will, therefore utilise its usual methods of campaigns to ensure that the All Inclusive Government arrangement is regarded by all as a transitional government that must pave way to new elections under a new, democratic and people-driven constitution."*

*The position that the All Inclusive Government is a transitional government with a limited duration is not just a matter of principle. Our country requires a legitimate and effective government. The events surrounding the first two weeks of the inclusive government show serious problems."*<sup>63</sup>

The biggest challenge for the MDC may be to provide the leadership that can maintain sufficient unity to deliver on the agreement and hold the spoilers at bay. Those within ZANU-PF committed to making the deal work have additional issues with which they will have to contend. Latent tensions within their own ranks have surfaced within the dynamic context of the GPA. These strains, with roots dating to the historical formation of the

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<sup>62</sup> Sipho Theys, Coordinator, Zimbabwe Solidarity Forum, on behalf of the Save Zimbabwe Now Campaign, Johannesburg, South Africa, May 7, 2009.

<sup>63</sup> NCA Press Statement, Harare, Zimbabwe March 2, 2009



Patriotic Front, have long been contained through Mugabe's shrewd use of patronage and astute political leverage.

The recent breakaway from ZANU-PF and the re-emergence of the Zimbabwe African Peoples Union (ZAPU) led by former Home Affairs minister Dr. Dumiso Dabengwa, indicates the disgruntlement felt by many former ZAPU members within ZANU-PF. The loss of political support resulting from the catastrophic policies of the ruling party – a forced merger of ZAPU with ZANU in 1987- led to all former ZAPU MP's losing their parliamentary seats to the MDC in the first election after its formation, Dabengwa included. The recent decision of some former ZAPU cadres to extricate themselves from the 1987 Unity Accord, and their choice of Dabengwa, the former military intelligence head of ZAPU's armed wing, the Zimbabwe Peoples Revolutionary Army (ZIPRA), is seen by many as a blow to ZANU-PF. On the other hand, the high levels of mistrust characterising Zimbabwean politics lead some to believe that this may be a ZANU-PF plot to destabilise the MDC.

The potential of this split to fan the flames of underlying ethnic tensions, part of the Zimbabwean political landscape for decades before the *Gukurahundi* massacres of the mid 1980s, adds further complexity to GPA politics. In a March 2009 ZAPU press statement, specific reference is made to this aspect of the breakaway:

*"History has it on record that ZANU was formed on tribal lines and with the propensity to crush ZAPU. The actions of ZANU were evidenced by the atrocities committed by the ZANU-PF Government from 1980 up to 1987 where the leadership of ZANU-PF conceded to the nation that it was a moment, an act of madness. Now the nation is very aware exactly who is mad."*<sup>64</sup>

For Leonard Kapungu, power is at the centre of these tensions:<sup>65</sup>

*"One of the problems ... is that both ZANU-PF and MDC-T are divided ...mainly because the agreement has concentrated on sharing of power. When you talk of power, everyone is looking at, "then what am I going to get from this agreement?" Unfortunately, they have all forgotten the initial interest. They are now bargaining about who is going to get what. In Kenya, they succeeded partly because the cabinet was so big, everyone could be given a cabinet post. In Zimbabwe we are dealing with a 31 post cabinet, and so the question is of power."*<sup>66</sup>

The GPA is the result of an enormous power struggle. On one side is a violent militarised section within ZANU-PF, an elite benefiting enormously from its ongoing hold on state power. On the other is a coalition of democrats, moderates and opportunists presented with little choice other than to accept the tenuous way forward presented to them by the SADC mediation intervention. This coalition recognises the necessity of a fresh process to break the deadlock that led to economic and humanitarian catastrophe. However, it is by no means inclusive of all of the forces at play in Zimbabwe.

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<sup>64</sup> Smile Dube, ZAPU Press Statement, Bulawayo, Zimbabwe March 3, 2009.

<sup>65</sup> SALO Building Consensus network breakfast meeting convened by the European Ambassador to Harare, His Excellency Xavier Marchel.

<sup>66</sup> Dr. Leonard Kapungu, Director, Centre for Peace Initiatives in Africa, SALO BIC Pretoria, South Africa, April 20, 2009.

The stop and start manner in which the various clauses within the agreement are being implemented and violated illustrate its status as an ongoing site of contestation. Each stakeholder's strategies and tactics in the forthcoming period will determine if the process becomes a genuine transition to democracy.

Professor Rob Moore, a Deputy Vice Chancellor at the University of the Witwatersrand, and a SALO board member, summarised the panellists' inputs at the April SALO BIC meeting. He noted that

*"Minister Elton Mangoma's input was extraordinarily measured, in view of the stresses and strains that must be happening in the Government of Inclusion. In particular, I found the assumption of responsibility by the Prime Minister's office and its sense of confidence and determination, quite contagious. That was enormously reassuring and motivating."*

*I think it's the battle of scepticism calcified over a decade of difficulty. But, I think it is clear that at this stage scepticism is not a good resource for Zimbabwe. As Sten [Swedish Ambassador to Zimbabwe] said, the only game on stage at the moment is the GNI. I think that we must work to engage with it.<sup>67</sup>*

This engagement – and the form it will take – will serve to move the process in one of two ways. It may move the process forward, contributing positively in the efforts of the NG to meet the Zimbabweans' aspirations expressed in the March 2008 election. On the other hand it may expose the flawed assumptions underlying the agreement, revealing a powerful minority's die-hard commitment to violence and with a capacity to block change no matter the consequences. The way in which South Africa, SADC, the international community engage in the process, and the forces they choose to support, will be critical in this regard.

### **The Significance of Recent Political Shifts in South Africa**

The impact of the changes in South African domestic politics since the end of 2007 on South Africa's relations with Zimbabwe must be explored: they directly inform the public and behind-closed-doors manner in which the South African government and the ruling party, the African National Congress (ANC), engage their counterparts across the border. While changes in the political leadership alone may not herald major shifts in foreign policy, the underlying political tensions and the dynamics of South Africa's post-Polokwane political landscape warrant deep analysis.

The ANC Polokwane Congress in December 2007 represented a significant defeat for incumbent South African President Thabo Mbeki and his supporters, leading directly to his resignation in September 2008. Thabo Mbeki's status as the SADC-appointed mediator and facilitator of the talks leading to the signing of the GPA, as the champion and defender of quiet diplomacy, and as the internationally recognised point man on Zimbabwe, made his domestic defeat a defining moment in the relations between the two countries.

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<sup>67</sup> Rob Moore, Deputy Vice-Chancellor, University of the Witwatersrand, SALO BIC meeting, Pretoria, April 20, 2009.

The subsequent appointment of Kgalema Motlanthe to the position of President, the general elections of April 2009, and the inauguration of President Jacob Zuma, need to be factored into an examination of the relations between South Africa and Zimbabwe. Yet as Ambassador Welile Nhlapo points out, Motlanthe, Zuma and Mbeki had been working closely together on the Zimbabwean issue well before the domestic political changes happened:

*“Kgalema Motlanthe spent about three weeks to a month in Zimbabwe [in the run up to the 2008 elections] when he was still the Secretary General of the ANC, engaging the parties in Zimbabwe even at that time. Jacob Zuma had been doing the same thing when he was Deputy President, so the relationships have existed over time. There have been tensions in certain cases but I think that the possibility of building on that is something that we consciously have to work towards.”*<sup>68</sup>

He indicated further that SADC’s shared interests have driven South Africa’s intervention, and that this united SADC framework will continue to inform SA’s expected role:

*“It’s in the interest of Zimbabwe, in the interest of South Africa and of the continent that we begin to work together. It is in the interest of SADC that there is unity around the fact that it was a SADC decision to appoint Mbeki, who was already doing the work anyway. SADC also worked very closely in this process. Sometimes there were divisions in the SADC but in the end everybody came together and that helped to resolve some of the problems, even between the parties in Zimbabwe. This will help Zimbabwe survive, and also for South Africa to have its own stability in terms of its relations with Zimbabwe, in terms of what’s happening at the border, and some of the assistance that we’re trying to give there. It’s a continuation of supporting the basis of that agreement.”*<sup>69</sup>

The complexity of the relationship between South Africa and Zimbabwe, within the historical context of the relations between the ANC, ZANU- and ZAPU liberation movements, means that political shifts within any of these parties inevitably have some impact on the relations between them. The recognition by President Zuma, and by implication the ANC, indicates this. An interview with the South African Press Association (SAPA) acknowledging the invitation extended to ZAPU leaders to attend his inauguration and the home-coming celebrations that followed, said that ZAPU was a strong ally of the ANC. He went further to thank ZAPU for its help during the liberation struggle.<sup>70</sup> This gesture implicitly acknowledged some of the historical differences that existed between the armed wings of the ANC, Umkhonto we Sizwe (MK), the Zimbabwe African National Liberation Army, ZANLA, and the Zimbabwe Peoples Revolutionary Army, ZIPRA, ZAPU’s armed wing. These historical relations and their ramifications run deep. Currently, this more open support for ZAPU indicates an involvement in internal Zimbabwean dynamics that represents a marked shift from the more diplomatic politics that characterised the leadership of former President Mbeki.

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<sup>68</sup> H.E. Welile Nhlapo, SA Ambassador to the U.S.A., Interview with SALO, Johannesburg, May 15, 2009.

<sup>69</sup> H.E. Welile Nhlapo, SA Ambassador to the U.S.A., Interview with SALO, Johannesburg, May 15, 2009.

<sup>70</sup> Lindie Whiz, ‘Zuma rekindles ZAPU alliance’, *New Zimbabwe*, May 10, 2009.

These shifts within the ANC and the emergence of President Zuma as leader may affect the means through which SADC intervenes. Acclaimed author and outspoken activist, Judith Todd, pointed out a particular nuance in the way President Zuma answered a question about the role Thabo Mbeki had been playing in the mediation process:

*“At a press conference President Jacob Zuma said something very interesting. He was asked if he couldn’t get former President Mbeki deployed away from Zimbabwe. He answered the question very carefully and said the reason President Motlanthe kept Mbeki in this position was so the process would not be disrupted. They thought this was the easiest way to continue. But, said Zuma, the ANC itself had never actually formally endorsed Mbeki’s position. So that might change.”<sup>71</sup>*

Civil society commentators active in the Zimbabwe solidarity movement are certainly hopeful that the political shifts within the ANC will herald a more forthright approach to ZANU-PF’s autocratic hold on power. Lucian Segami, a SALO director and member of the Zimbabwe Solidarity Forum secretariat,, referred to insider discussions pointing to three key differences in South Africa’s foreign policy approach under Zuma:

*“Firstly, more decentralization of decision making, accountability and assessment and the envisioning of a bottom up and somewhat revolutionary model that utilises existing consensus in a reconfigured ANC alliance with the Congress of South African Trade Unions (Cosatu) and the South African Communist Party (SACP), including consensus inside the structures of the ANC; secondly it will seek to position the regional liberation movements as a platform for collective accountability that meets frequently; and thirdly [we can expect] greater engagement with non-state actors in civil society. There is a dominant feeling of ‘this is our last chance’. In a private conversation one minister said, ‘The people still have faith in our movement, in spite of their continued poverty and the sometimes poor service delivery, incompetence and corruption. This time we dare not fail or be seen to be failing them’. The resolution of the Zimbabwean crisis is considered one such delivery.”<sup>72</sup>*

Braam Hanekom of Cape Town’s People Against Suffering Suppression Oppression and Poverty (PASSOP), fighting for the rights of asylum seekers, refugees and immigrants, spoke out in May 2009:

*“The new ANC will [not] allow for an elitist, dictatorial, arrogant leadership like Mugabe’s. It is a new more pro-working class leadership with support from the workers’ unions and the South African Communist Party. [They] have been two of the most outspoken role players against the Mugabe regime in the last 10 years. So we can expect the South African government to put a lot of pressure for real changes to happen. With the unity government in place it is not so easy for Mugabe to be separated from the MDC but should there be a divide in the unity government, or should there come a point where MDC and ZANU-PF are not working together, I think*

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<sup>71</sup> Judith Todd, Zimbabwean author, private interview, SALO, May 29, 2009.

<sup>72</sup> Lucian Segami, Southern African Liaison Office, private notes, Johannesburg, June 25, 2009.

*the new leadership will work very closely with the opposition and hopefully with the people of Zimbabwe.”<sup>73</sup>*

The restructuring of the Ministry of Foreign Affairs and the emergence of the Ministry of International Relations and Co-operation, with the new leadership of Minister Maite Nkoana-Mashabane and Deputy Ministers Sue van der Merwe and Ebrahim Ebrahim, have provided opportunities for much speculative comment. However, those close to the corridors of power stress that things will not be too different.

H.E. Ambassador Welile Nhlapo, SA Ambassador to the United States of America (U.S.A.) was clear:

*“I don’t think it will have any implications, because that [foreign and security policy] will be the Cabinet decisions taken by the ANC itself, [the new ministers] will be implementing policy, not taking decisions that might be problematic. They are new in these portfolios and there are issues we have to manage that have always been on the table in both Foreign Affairs and even Defence. The management of our relations with Zimbabwe [is defined] in terms of the bilateral commissions that will continue, and that were renewed ... two months ago when the meeting took place to really start on a new impetus to do a number of things together.”<sup>74</sup>*

Outgoing Deputy Minister of Foreign Affairs Aziz Pahad confirmed this line of thinking:

*“I don’t believe that the new Government wants to change the direction of South African foreign policy. In a world that is fundamentally changing all the time, we can’t go through a completely new learning experience. For the last fifteen years, with SA emerging into the international community, specifically in SADC and Africa, but also more broadly, it’s been a period of learning and I believe there’ve been good lessons. We have really learned from our experiences, and the new team now must not try to recreate a new situation. There is a good foundation laid, I think that the new Government must follow through. Where there are weaknesses they must improve on them, where there are successes they must develop them. I don’t believe there can be real changes in our approach to Zimbabwe: there can’t be real changes in our approach to foreign policy generally.”<sup>75</sup>*

In her first press conference incoming Minister of International Relations and Cooperation Maite Nkoana-Mashabane appeared to endorse the broad commitment to dialogue and multilateralism that have characterised the foreign policy of the ANC-led SA Government.

*“We will continue to prioritise Africa because we are in Africa. We will continue to engage with African countries, including Zimbabwe, in pursuit of Africa’s development... In pursuit of these objectives, South Africa recognises that its destiny*

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<sup>73</sup> Braam Hanekom, Coordinator, PASSOP, Interview with SALO, Cape Town, May 10, 2009.

<sup>74</sup> H.E. Welile Nhlapo, SA Ambassador to Washington., Interview with SALO, Johannesburg, May 15, 2009.

<sup>75</sup> Aziz Pahad, former Deputy Minister of Foreign affairs, Interview with SALO, Johannesburg, May 15, 2009.

*is inextricably linked to that of the developing world in general and to the African continent in particular.”<sup>76</sup>*

If these positions are accurate, radical departures from the African Union – and SADC – led approach to resolving the crisis in Zimbabwe are unlikely. Despite the potential security threats posed by sections of the Zimbabwean military, South African-led military intervention, including any form of peace-keeping mission or Lesotho-style invasion, is simply not an option. Lessons learned from elsewhere on the continent, including the reaction of Africa to the Mandela government’s outspoken approach to Nigeria, will continue to drive SA engagement with the transitional government. Unless there is a blatant attempt at a military seizure of power – and SADC has made it clear that will not be countenanced – diplomacy-driven attempts at stabilising Zimbabwe through a rebuilding of their economy and slow and painful efforts to democratise, will continue to be the order of the day.

More broadly South Africa will continue to operate within a framework of South-South cooperation, which uses Africa as the pivot in its pursuit of a development agenda, balancing domestic interests with the common long term interests that it shares with its neighbours. The application of this balancing act in relation to Zimbabwe was articulated clearly by the Director-General Dr Ntsaluba in April 2009:

*“We have stated in the past, both for reasons of good neighbourliness and also linked to our own national interest, that we would do everything possible to ensure we speed up the process of the Zimbabwean economy regaining its place because it is an important trading partner for South Africa and an economically viable and vibrant Zimbabwe is in the best interests of South Africa. The support we give now in the short term will help the people of Zimbabwe but in the longer term will help the people of South Africa.”<sup>77</sup>*

This aspect of mutual self-interest provides insights into what is often seen as a willingness to turn a blind eye on the human rights violations committed by the Zimbabwean state. While the criticism that South Africa could have spoken out more strongly to condemn the violence has validity, the defence has always been that it is Zimbabweans themselves who must be the drivers of the solutions they seek. They must determine the manner in which these solutions are reached.

Ambassador Nhlapo uses this same thinking in his comments on the role South Africa can be expected to play in relation to resolving any disputes between Zimbabwean parties to the agreement in the future :

*“There is an accommodation in the agreement to the extent that if they cannot resolve the issues they will then get back to the facilitators. They have not done so up to now, because they’ve been able to sit together and use the basis of the structures*

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<sup>76</sup> Maite Nkoana-Mashabane, Minister of International Relations and Cooperation, Media Address, Pretoria, South Africa, , May 14, 2009..

<sup>77</sup> Dr Ayanda Ntsaluba Notes, Director-General Foreign Affairs, Following Briefing to Media, Media Centre, Union Buildings, Pretoria, April 9, 2009.

*that they formed to begin to deal with these issues in those structures which are constitutionally based. No, South Africa will continue to play whatever role Zimbabwe will decide that they think South Africa should do. South Africa can't decide.*"<sup>78</sup>

Professor Raftopoulos sums up the potential for change afforded by the new context through influencing new groups from within the South African government to change the role that they play within SADC itself.

*"Possible changes in foreign policy towards Zimbabwe under the Zuma government ... would remain within the SADC framework, keeping the relations with Zimbabwe's transitional government, within the context of SADC mediation. Yet there are clearly new possibilities for lobbying groups in South Africa to put additional pressure within SADC if one party, particularly ZANU-PF, is not abiding by the spirit or the letter of the agreement."*<sup>79</sup>

### **New Policies for New Relations**

While the uncertainty of the SADC-driven and South African-facilitated GPA process unfolds, South Africa has been quick to establish formal ties with the emerging New Government aimed at normalising relations. At a formal level the Joint Permanent Commission for Cooperation (JPCC) provides the mechanism that outlines the bilateral policy arrangements between the two countries. South Africa and Zimbabwe also have a Joint Permanent Commission on Defence and Security (JPCDS), intended to identify areas of co-operation in fields ranging from the military, policing and intelligence issues in general, to specific areas of concern including cross-border crime, illegal immigration and mutual capacity building. While at the height of the Zimbabwean crisis the JPCDS was at the forefront of formal relations between the two countries, the Cooperation Commission has become prominent more recently. Set up under the leadership of Thabo Mbeki, the JPCC brings together senior government officials from the Departments of Trade and Industry, Home Affairs, Justice, Environmental Affairs and Tourism, Transport, Health, Arts and Culture, Housing and the South African Revenue Service. A communiqué issued by the Department of Foreign Affairs following the third session of the JPCC in March 2009 outlined the official position of South Africa *vis a vis* Zimbabwe.

*"South Africa's participation in the third session of the JPCC comes within the context of her commitment to consolidate bilateral political, economic and trade relations with Zimbabwe while assisting the people of Zimbabwe in their path towards national reconciliation, reconstruction and development as well as economic recovery,"*<sup>80</sup>

A brief look at the agenda of the ensuing discussions gives a fair idea of the range of issues deemed pertinent at official levels. The inclusion of several Ministers and Director-Generals in the delegation indicates this initiative is a priority area for the South African Government.

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<sup>78</sup> H.E. Welile Nhlapo, SA Ambassador to the U.S.A., Interview with SALO, Johannesburg, May 15, 2009.

<sup>79</sup> Brian Raftopoulos, private interview, SALO, Cape Town, May 29, 2009.

<sup>80</sup> Department of Foreign Affairs, Pretoria, South Africa March 16, 2009.

Matters discussed included a review of existing bilateral political, economic and trade relations between the two countries, social and humanitarian matters including co-operation in the health field, public service administration, labour, arts and culture, migration matters, trade, finance and investment, energy and mining, environment and tourism, agriculture, transport and communications, preparations for the Confederations Cup and the Fifa 2010 World Cup, and the identification of possible agreements and additional projects.<sup>81</sup>

Extracts from the joint Communiqué issued after the meeting demonstrate that both sides intend to develop policy covering the full range of possible engagement between them.

*“Progress was made towards the formal recognition of the Bilateral Investment Promotion and Protection Agreement, the Memorandum on Economic Co-operation and the Avoidance of Double Taxation Agreement. In the area of energy, the two sides agreed to enhance co-operation in the generation and distribution of power. To this end, a Joint Working Committee will be established to discuss the technical details in this sector. The two sides agreed to cooperate in enhancing production in the mining sector, beneficiation of minerals, finger printing precious metals and harmonisation of mining policies to attract investment. The two sides agreed to finalise negotiations on a draft Protocol on Tourism and to establish a Bilateral Tourism Technical Committee in view of the Tourism growth prospects coming from the 2010 FIFA World Cup and the Transfrontier Conservation Parks. In the area of the environment, the two sides exchanged views on the Convention on International Trade in Endangered species (CITES) processes and agreed to co-operate in training and harmonisation of legislation. In the legal sector, the two sides agreed to expedite ratification of the SADC Protocol on Extradition and Mutual Legal Assistance and cooperation on matters concerning community service and pre-trial diversion for children and young persons in conflict with the law.”<sup>82</sup>*

The Bilateral Investment Promotion and Protection Act (BIPPA) is necessary to enable South African private investment in Zimbabwe. BIPPA would provide investors with security for their assets against the fast-track land reform practices ZANU-PF carried out largely credited for the destruction of the Zimbabwean economy. The Honorable Elton Mangoma, Zimbabwean Minister for Economic Planning and Investment Promotions, acknowledged this in his April 2009 address to the SALO BIC dialogue:

*“The inclusive government has not signed a Bilateral Investment Promotion and Protection Agreement with South Africa. We have been negotiating since we came in. I am glad to say that negotiations have now been concluded and that once the legal representatives of the two governments have looked at the wording, signing will be done very soon. This shows our own commitment to protection of other people’s investments.”<sup>83</sup>*

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<sup>81</sup> Department of Foreign Affairs, Pretoria, South Africa, March 15, 2009.

<sup>82</sup> Thapelo Moeng, Joint Communiqué issued at the conclusion of the third session of the Zimbabwe South Africa Joint Commission, Department of Foreign Affairs, Pretoria, South Africa, March 16, 2009.

<sup>83</sup> Elton Mangoma, Zimbabwean Minister of Economic Planning and Investment Promotions, SALO BIC meeting, Pretoria, April 4, 2009.



At the time of writing the agreement had not yet been signed.<sup>84</sup> Nevertheless while the emergence of new policies attempting to establish frameworks to normalise Zimbabwe's external relations is a positive step forward, there are still concerns that without a concurrent internal normalization they may be worth little more than the paper on which they have been so carefully crafted. H.E. Ambassador Sten Rylander spoke to this issue in response to the Minister at the same SALO meeting:

*"It is very important for the re-engagement process that the Central Bank [sic] is coming back to the normal situation we have in all other countries. It is also important for South Africa. I know for sure that Trevor Manuel and Tito Mboweni [then respectively Finance Minister and Governor of the Reserve Bank in South Africa] would like to see this happen.*

*Some things are being stalled ... There is still a lot of violence going on in society, the most disturbing elements now being the farm invasions, and farm destructions going on. There is no respect for the rule of law and property rights although these are also in the GPA agreement. This doesn't have anything to do with protecting White farmers, believe me. This is a question of sticking to the rule of law and respecting the BIPPA's (Bilateral Investment and Protection Agreement). Some BIPPA farms are now threatened every day."*<sup>85</sup>

Minister Mangoma acknowledged this and talked to some of the ways in which the matter was being addressed at a policy level, as well as how changes on the ground were already beginning to take place:

*"On the democratisation agenda, the issues that we see include the following: We need to see the restoration of people's freedoms. We need to see the tolerance levels in our society go up. The Ambassador [H.E. Sten Rylander] here witnessed our Independence Day celebrations. For some of us this was the first we have ever attended where you could see both parties mingling without violence emanating there-from, as much as people know and see that there is still some violence from one place to another. Some people, like myself, never believed that human beings had the capacity to do harm to each other in the way we saw after the March 29<sup>th</sup> elections. That kind of brutality and that kind of violence has stopped. You get pockets still, definitely, because they are human beings, but the rampant abuse and violent behaviour is not there anymore. Sadly, we still have the underlying feeling of unhappiness because some people lost their goats, some people lost their cattle, and some people lost their loved ones. As government, we have not yet put in place a practical solution to work through this other than localised solutions that have been offered here and there. The three Ministers of State for Healing<sup>86</sup> are now beginning*

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<sup>84</sup> Fang Yang, 'Zimbabwe to secure \$339.5 mln worth of lines of credit,' [www.chinaview.cn](http://www.chinaview.cn), July 19, 2009, quotes the *Sunday Mail* stating that BIPPA would be signed at the end of July.

<sup>85</sup> H.E. Sten Rylander, Ambassador, Swedish Embassy, Harare, SALO BIC meeting, Pretoria, April 20, 2009.

<sup>86</sup> Ministers John Nkomo, Sekai Holland and Gibson Sibanda.

*to work to redress the situation so that whatever reaction is there now can be arrested before it gets out of hand.”<sup>87</sup>*

The Zimbabwean GNU has also signed several multilateral agreements aiming to reassure both South Africa and the broader international community that their investments will be adequately protected under international law. Minister Mangoma cited these examples in his address as he attempted to demonstrate the government’s commitment to providing an environment conducive to the investment required to overturn the economic collapse. The issue of economic recovery and the complicated array of factors it raises are covered in more detail below.

*“We look at the use and the importance of investment and investment protection to light the way forward. Zimbabwe is already a signatory to the Multilateral Investment Guarantee Agency, Overseas Private Investment Co-operation, International Convention of the Settlement of Investments Disputes, United Nations Commission of International Trade and Arbitration Law and the Bilateral Investment Promotion and Protection Agreement commonly known as BIPPA that has been referred to. We are already signatories to these and we have signed BIPPA agreement with a number of countries. .... We are completely in favour of resolving all these matters. And we will do so.”<sup>88</sup>*

It would appear as though it is particularly on the economic front that ZANU-PF and the MDC formations have found some form of common ground enabling a more cooperative effort at normalising relations both internally and externally. Certainly the opportunities presented by closer cooperation with a stable and growing Zimbabwean economy would serve South African interests well. Some commentators even predict that the common ground built will pave the way for a second GNU.

Does this economic opportunity provide a strong enough basis to provide the incentives to move the process forward, and the stability necessary to prevent a return to the kind of violence characterising the elections of 2008? The challenges remain enormous, and the complexities of the transition period go beyond this. These tests and the rocky road ahead are covered in more detail in the sections that follow.

### **Understanding the Transition**

The transition period defined by the agreement’s framework outlines a number of priority areas where there is agreement on the need for reform. However, whether the agreement is a strong enough foundation for the kind of structural and systemic transformation that the multiple crises of ZANU-PF rule precipitated is only one of a series of as yet unanswered questions. Zimbabweans themselves seem divided. Some see the opportunities presented by the political framework of the GPA and want to focus on and use these opportunities to try and force the limited space that has opened up. Others feel that the hollow victory of a semi-shared hold on power is by no means enough.

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<sup>87</sup> Elton Mangoma, Zimbabwean Minister of Economic Planning and Investment Promotions, SALO BIC meeting, Pretoria, , April 20, 2009.

<sup>88</sup> Elton Mangoma, Pretoria, April 20, 2009.

Thoko Matshe, Africa Director of the Olof Palme Foundation and a long standing Zimbabwean feminist activist, places strong emphasis on the paradigm shift required to make the transition real for ordinary people:

*“I’d like to move people on, on the fact of the realisation that it is an inclusive government. It is not ZANU-PF that is in control especially for the general person in the street in Zimbabwe ... it gives them a different paradigm in engaging, in challenging, in claiming their rights. And to me it is important, ... it was reinforced by an experience I had when I visited one of the rural areas. People were talking of how certain things that had come were supposed to be given to the councillors and the headman so that the community could use those implements collectively, [but they] ended up being given to people that are ZANU-PF. When you say it is ZANU-PF that is in control it means it’s business as usual, you can’t challenge it, they have been corrupt, they have been doing it that way. But you say it’s an inclusive government and this councillor is an MDC councillor and according to certain administration issues he has got to get precedence to everyone else in certain engagements for the community, then you break that. And you also break the reaction of the people, you also give the people the power that says “No it’s not them, we are also in there, and it’s about us as well.” So that’s why for me I want to break this thing. Whatever other technicalities and realities that are happening, I think we have to emphasize the inclusiveness of that government to enable civil society, to enable the ordinary people on the grass root level, to change the way they engage.”<sup>89</sup>*

Elinor Sisulu, from the Crisis in Zimbabwe Coalition based in South Africa, and an outspoken critic of the GPA, raises concerns about this position:

*“If moving on means that one is going to confront honestly and transparently what happened that brought the economy and the country into its crisis, and to try addressing those issues, then I think Zimbabweans can move on. But if it’s a question of moving on by sweeping things under the political carpet then we have a recipe for future conflict and Zimbabwe will remain in a chronic state. It might work and paper over and have a GNU that limps along. But that is not really addressing the major problems of the country. And when I say papering over, if one does not deal with the politicisation of state institutions, because that has been at the heart of the problem of what brought Zimbabwe to this crisis, if you don’t deal with the de-politicisation of state institutions, we will continue to have a problem. It will not end political violence and impunity. I think it is important to remember when we discuss this analysis that there were people involved, there were people who were tortured, there were people who were starved, there are people who are perpetually invalid who need medical and health care as a result of what happened. I think I would like us to move away from air brushing Zimbabwe’s history.”<sup>90</sup>*

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<sup>89</sup> Thoko Matshe, Zimbabwean feminist activist, Director Olaf Palme Foundation, SALO South-South Dialogue meeting, Pretoria, South Africa, February 26, 2009.

<sup>90</sup> Elinor Sisulu, Crisis in Zimbabwe Coalition, SALO South-South Dialogue meeting, Pretoria, South Africa, February 26, 2009.

Bishop Rubin Phillip, chair of the SALO board, the Zimbabwe Solidarity Forum and Anglican Bishop of KwaZulu Natal, shares the importance of remembering the people involved in the political process and the manner in which they have been affected:

*“But as we know and we heard today, there are huge problems of unemployment, problems around education, the problems of children still being denied food, all of those things are still with us, but apart from those, if you like, physical things. These people have to deal with the emotional scars of the past. Those are not going to go away with the introduction of some policy: issues of pain and suffering; those are still with the people of Zimbabwe.”<sup>91</sup>*

To find a way forward it is essential to understand the framework of the GPA as the outline of a transition period. By definition a transition is a process of moving from one condition to another. In the case of Zimbabwe, the ideal move would be from a highly militarised state in the grip of an illegitimate, corrupt and autocratic elite, to a state run by a legitimately elected government representing the will of the people, serving their interests, governed by a constitution reflecting its citizens’ aspirations. Given the centrality of the shifts in power that are required to move between these conditions, the transition is by nature a highly contested terrain.

While the main focus of this contestation is internal, between forces within Zimbabwe, external actors play a critical, and potentially decisive, role in its outcomes. Of course, both Britain as a former coloniser and South Africa in the more recent past have contributed immensely to the complicated dynamics that form part of the current contestation for power. This historical context makes the three-way relationship between these countries an important aspect of the forces that impact on the delicate GPA process. Shifts in the British public position on Zimbabwe, and its position on the role played by South Africa and SADC, are important indicators of international opinion and the direction it is likely to follow. British Minister for Africa Mark Malloch Brown made an important statement in this regard in June 2009, on the eve of a visit from Zimbabwean Prime Minister Morgan Tsvangirai:

*“We welcome the efforts of President Zuma in South Africa, as well as other neighbours, such as President Khama in Botswana, to provide political and economic support to Zimbabwe’s transition. SADC must stand up for the GPA agreement that it sponsored and insist that both sides keep their commitments. We remain happy to follow their political lead; we recognise that the UK can easily set back change inside Zimbabwe by appearing too intrusive. By entering a government with Mr Mugabe, the MDC has taken a leap of faith. It is beginning to make it work, although there are plenty of pitfalls. Mr Mugabe could easily try to go back on his word and grab absolute power again. Nevertheless, it is time to show a little faith and get behind the agreement to build a new Zimbabwe, while keeping all sides to their commitments on economic and political reform. As President Reagan once said in another context, “trust but verify”.<sup>92</sup>*

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<sup>91</sup> Rubin Phillip, Anglican Bishop of KwaZulu Natal, SALO South-South Dialogue meeting, Pretoria, South Africa, February 26, 2009.

<sup>92</sup> Mark Malloch Brown, UK Minister for Africa, *The Times*, June 19, 2009.

This call for external forces to “show a little faith” adds power to internal stakeholders’ intent on using the GPA to create a more accountable state. Brian Raftopoulos goes so far as to declare the current phase as a battle within which gains and losses will be made by both sides:

*“The situation in Zimbabwe now, in my view, is already a transition in the sense that there is a very serious battle going on for the state, where power has already begun to be shared, although unequally. ZANU-PF does not have the same monopolies that it had over broad policy processes, particularly around the economy, even though it still monopolises control of the army, the police, the security structures. But there is already a transition in some of the policy ministries, the economic ministries, welfare ministries where changes are beginning to be initiated. Also the new discussions opening up with the international community and with the region over changes in policy both political and economic are part of a long transition that is likely to take place. I wouldn’t call it pre-transition because I think transitions can be very long, very problematic. They can see both progress and regress. They are intense sites of the struggle.”<sup>93</sup>*

The full extent of this battle may not be fully understood, given the secrecy surrounding the threats posed by the military in Zimbabwe. The potential for this element to bring the agreement down appear to go way beyond the generals saluting Prime Minister Tsvangirai: they refused at his inauguration, but some did at the August 11 Armed Forces Day celebration.

The election-related violence of 2008 appears to have been directly linked to statements by sections of the military negating any possibility of the MDC coming to power. The existence of a report of the retired South African generals’ investigation of this violence has been denied to the extent of Frank Chikane, the director-general in the presidency under Mbeki, and Trevor Fowler, currently in the post, producing affidavits saying no report or supporting documentation exists.<sup>94</sup> Whatever the status of the report, the military threat is real, presenting a major challenge to the ability of the GPA to deliver enough dividends to contain those who might see more gains from destabilising the situation or who feel directly threatened by the democratisation process it heralds.

The promise of re-engagement by the West appears to have brought most of the protagonists to the power-sharing table. For ordinary Zimbabweans and organised civil society who feel cheated by the failure of the election outcome and the GPA deal, there are other important issues. The democratisation aspects of the agreement relating to the rule of law, the de-politicisation of the state, and the need to respect the political will of the electorate, are held in at least equally high regard.

Thus despite the current focus by the NG on economics as the means to provide a basis for change, most external actors, including Zimbabwean civics and civil society solidarity movements, will judge the effectiveness of the GPA by the extent to which it delivers. These outcomes will need to encompass a new constitution that is accepted by a majority of

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<sup>93</sup> Brian Raftopoulos, private interview, SALO, Cape Town, May 29, 2009.

<sup>94</sup> SAPA, ‘Zuma Hiding Zim Report’, *Zimbabwe Independent*, May 28, 2009

Zimbabweans and an environment in which a new election can be held that produces a legitimate government that fairly reflects the will of those who vote for it. The ability of the GPA to affect the material conditions of ordinary Zimbabweans and to change the grassroots economics of the country, not just the macro-economics of investment and monetary policy, will also inform this assessment.

### **The GPA Framework**

In outlining the priorities for the new government, MDC-T Policy Coordinator General Eddie Cross pointed out the urgency of the political reforms contained within the GPA:

*“Two years are left before we can expect another election. That seems a long time but it will be gone in the blink of an eye and we must make sure that we are able to accomplish all we have to do by then. The list of our priorities is intimidating. We must try to manage the affairs of State and put the country back on the path to recovery and growth. We must get all 85 local authorities back on their feet and restore basic services to ordinary households. We must get new legislation passed by the House to correct the legal environment and make conditions amenable for the restoration of our basic freedoms and rights. If that is not enough, we must draft a new Constitution and get it passed by a referendum. We must reform the basis upon which the next elections are held so that they can be regarded as being “free and fair”. We must rebuild the Party so that we can compete for power in the new elections and persuade the electorate that we are the people to back when it comes to creating the conditions under which Zimbabwe can be restored to its rightful place in the world.”<sup>95</sup>*

Munjodzi Mutandiri, coordinator of the South African chapter of the Zimbabwean civic movement the National Constitutional Assembly, continues in the same vein. He outlines his perspective on the key priorities facing the New Government and civil society within the GPA’s transitional arrangements:

*“This deal by its very nature is imperfect because it’s an agreement that was reached by politicians who are bent on sharing power. It does not take into account most of the issues that civic people will be concerned about even if they will be catered into the deal. The motive from politicians is not necessarily the motive that the civic society and the ordinary people would have in putting such issues. ... so the deal doesn’t focus on the transformational agenda which the people of Zimbabwe are looking at. What the ordinary people like myself would want to get from this deal is a change of the relationship between the state and its citizens. The way I’m treated by the police, the soldiers, the way I’m treated by government officials and everybody else regardless of my political affiliation has to change. So to the ordinary people and to civic society people what we’re looking at is the transformational agenda that is underpinned by a people driven constitution making process.”<sup>96</sup>*

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<sup>95</sup> Eddie Cross, ‘The Tyranny of Time, Bulawayo, May 28, 2009.

<sup>96</sup> Munjodzi Mutandiri, coordinator of the South African chapter of the Zimbabwean civic movement the National Constitutional Assembly, SALO BIC meeting, Pretoria, January 29, 2009.

Mutandiri went into more detail on other aspects of the GPA that have created expectations:

*“So one of the key deliverables that civic society will have to look at is making sure that the politicians, live up to their agreements of September 11; the enactment of a people -driven constitutional processes as articulated in article six (of the GPA), but obviously there should be some pressure to make that process more people driven and more people orientated.*

*In conclusion, the other thing that we would look into is the opening of media space ... the return to the rule of law, the end to corruption, stopping economic crimes which I think is the biggest threat to the future of Zimbabwe. I must think the international community would be very critical at this point especially in supporting efforts such as SALO’s and other civil organisations in making sure that we continue to monitor this agreement and make sure that the agreement does not only provide for politicians but it provides for ordinary people.”<sup>97</sup>*

The Institute for Democracy in Africa (Idasa) *GNU Watch* document is a monthly overview of political developments in Zimbabwe relating specifically to the terms set out in the GPA. A brief look at the summary for the month of May verifies the contested nature of the framework, as well as the mix of progress and regress referred to by Raftopoulos. The *GNU Watch* uses the various articles of the GPA as outlined below to assess the progress being made in its implementation. Most areas indicate that there is no conclusive action to date but there are also examples both of compliance and contravention.<sup>98</sup>

The GPA itself includes areas in which the principals to the agreement are supposed to make declarations of commitment to the process, restore economic stability and growth, work towards the lifting of sanctions and punitive measures, deal with the land question equitably in an effort to restore full productivity, prepare a constitution and carry out a referendum, promote national healing, cohesion and unity, restore law and order and respect for basic freedoms, respond to the humanitarian needs of the population, prevent violence and reduce human insecurity and establish an effective framework for a new government. It also allows for the establishment of a Joint Monitoring and Implementation Committee expected to oversee the implementation, as well as a periodic review mechanism.<sup>99</sup> Given SADC’s role as the guarantor of the agreement, it is important to also include the Communiqué issued at the conclusion of its January Extraordinary Summit, highlighting issues related to security and the appointment of the Reserve Bank Governor and the Attorney General.<sup>100</sup> These contentious issues were referred to SADC for discussion at their next meeting.

Despite the extremely slow implementation of the agreement and ZANU-PF’s clear transgressions in particular, there are many, including those in government in South Africa, who still see it as the a positive way forward. Mxolisi Nkosi, a Deputy Director- General in

<sup>97</sup> Munjodzi Mutandiri, SALO BIC meeting, Pretoria, January 29, 2009.

<sup>98</sup> Idasa, ‘States in Transition Observatory’, *GNU Watch*, Zimbabwe, May 2009.

<sup>99</sup> Agreement between the Zimbabwe African National Union-Patriotic Front and the two Movements for Democratic Change Formations on resolving the challenges facing Zimbabwe, September 2008.

<sup>100</sup> [Communiqué: Extraordinary Summit of the SADC Heads of State and Government: Presidential Guest House, Pretoria, Republic of South Africa, 26-27 January 2009](#), Tshwane, January 27, 2009.

the Ministry of Foreign Affairs, reminds us of how close Zimbabwe was to outright collapse. He goes as far as to refer to the outcome of the mediation process as a win-win situation for both parties:

*“If you want a zero-sum game then you must do a regime change, if you want a zero-sum game then you must adopt a military solution, in Zimbabwe. They have adopted a political solution; it’s not a zero-sum game. So it’s a win-win solution. Look at the number of negotiated settlements including ours here in SA or the Kenyan model, the Ivorian model, or DRC and the Sudanese. What is clear is that peace in all those places is holding, those societies are making progress. They have been extricated from the precipice, they were nearly on the cliff, they were about to collapse and to explode.”<sup>101</sup>*

The Institute for Global Dialogue’s Siphamandla Zondi suggests the agreement was the best option under the circumstances and that, despite its flaws, it fairly represents how far Zimbabweans were able to go at the point when the agreement was signed. He makes the additional, important point that the flexibility of the framework and the space the agreement contains for interpretation allows Zimbabweans to find their own leadership in a form which responds to the reality of the current conditions. By implication, a more direct imposition by SADC or another external actor (like South Africa) may have limited the ability of an agreement framework to allow this space.

*“If you had an agreement spelling out how exactly each minister would conduct themselves and the nitty-gritty’s about all sorts of problems that Zimbabwe has had, how are you going to deal with national healing and be very specific about it? You take away from Zimbabwe an opportunity to find its form of leadership that is going to help its people translate a difficult situation into something better. What I like about this agreement is the fact that key Zimbabwean parties supported by larger sections of the population had to come to some kind of an agreement on the basis, I hope, of the mandate they got from the people supporting them. I think what that helps is that whatever blame we have to attribute can be laid at the Zimbabwean parties. Maybe or not SADC can share the blame, for pushing Zimbabwean on a way they were not willing to go, but there is a danger in that as well. If SADC had created a solution for Zimbabwe it would have been a big problem. I think this is how far the Zimbabweans should go at the moment. It is work in progress ... it has to be made to work as well.”<sup>102</sup>*

There is merit to perceiving the transition outlined by the GPA as a work in progress and allowing space for new forms of leadership to develop in response to the political realities of the Zimbabwean context. The demystification of antagonists in a polarised situation following years of demonising may be a necessary part of forging the kind of government able to resist and manage the efforts of those opposed to the transition, willing to destroy it by whatever means available. This relationship-building component formed part of South Africa’s own transition and is a characteristic of many peace-building processes. In a public address to a mixed group of potential investors, MDC supporters, academics and civil

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<sup>101</sup> Mxolisi Nkosi, Deputy Director General, Ministry of Foreign Affairs, SALO BIC meeting, November 12, 2008.

<sup>102</sup> Siphamandla Zondi, Institute for Global Dialogue, SALO BIC Meeting, Tshwane, November 12, 2008.



society activists at the University of the Witwatersrand in April 2009, Prime Minister Morgan Tsvangirai gave some personal insights into how this was affecting the New Government:

*“The first time I went and convened a strategic cabinet retreat in which the 31 cabinet Ministers had to meet, I didn’t think that it would last two hours. But we lasted three days and everyone said after that retreat, ‘this is the best thing that has happened in this country; it is to know each other’. Not to be informed by propaganda, but to know that the person you feared most is a colleague, you can say ‘I can do business with him’. Yes we belong to MDC, yes we belong to ZANU-PF but we can talk, we can talk about our differences, we can dialogue about what’s best for the country, and I think that’s very extraordinary, it’s beautiful. To me that is how I’ve related to President Mugabe, previously I could not even talk about the situation at hand or even refer to him as the President, as you know, because I didn’t feel that he legitimately deserved that position. But now we can sit down and talk together, in spite of all the problems that we’ve had. Sometimes it requires patience, it requires dialogue, it requires negotiations, but always recognising the fact that we cannot sacrifice the principles. I cannot sit comfortably and go to bed at night with people behind bars, with people being abused by the police and all that, so we are very cognisant of those issues, but we are dealing with them”.*<sup>103</sup>

Whatever the outcome of the GPA process – a vindication of those who predict its demise or of those who are determined to make it work – it is clear that SADC and SA will have a major role to play in Zimbabwe’s future. Any assessment of the positive or negative implications this has for the Zimbabwean people must at least in part be informed by an analysis of their intervention to date. The next section explores this and looks to what can be expected from their position as guarantors of the agreement.

### **The Role of SADC and South Africa**

At the above mentioned address, Prime Minister Morgan Tsvangirai said that the credit for the present Government of National Unity and the deal that set it up should go to Mbeki and his team from South Africa:

*“When history is made we cannot take away from Thabo Mbeki’s role in resolving the dispute in Zimbabwe. His contribution was both valid and integral. I had my own personal fights with him, but I still respect him. I still recognise the contribution, the patience that he employed in the negotiations, so yes, the Global Political Agreement is largely the effort of President Thabo Mbeki. Some people have said but you have always complained about him. Yes, I’ve complained about him, but that doesn’t take away the role that he has played. He and our party have served together and arrived at a conclusion. Yes I think the credibility really goes to him for having brought up this relationship (between the parties to the New Government), and I thank all parties who shared in those efforts.”*<sup>104</sup>

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<sup>103</sup> Morgan Tsvangirai, Prime Minister of Zimbabwe, University of the Witwatersrand, May 8, 2009.

<sup>104</sup> Morgan Tsvangirai, May 8, 2009.

This acknowledgement of the effectiveness of the South African approach to the Zimbabwe crisis counteracts much of the negative, and sometimes even derisive, publicity handed out to then President Mbeki throughout the crisis period in Zimbabwe. He was openly accused of being biased towards Robert Mugabe and mocked for his comments that failed to acknowledge the crisis at the height of the violence following the March 2008 election. The 'quiet diplomacy' label attached to his efforts, and the foreign policy approach of the South African government and SADC, were often highly criticised for their ineffectiveness. These critics at times included the MDC leadership, although on other occasions he was hailed as a "brother" and even "comrade".

Outgoing Deputy Foreign Minister Aziz Pahad defends the approach:

*"Despite all the set backs and difficulties, and the issues at stake, history will prove that if it was not for South Africa's persistence generally, but the facilitation of Mbeki specifically, we would not have reached the situation we are in now. In the New Inclusive Government there are still challenges, but I believe that the South African legacy will be that, between Zimbabwe and the South African Government bilaterally, and SADC and the AU multilaterally, we have kept a position that the Zimbabwean solution can only come from Zimbabwe. Any outside involvement must be to support what is an African and SADC solution. I believe that we have achieved that. There are still so many challenges for the inclusive Government, but now it's up to the Zimbabwean people to really grab the opportunity and really begin a serious transformation."*<sup>105</sup>

Many commentators now acknowledge that this approach had some merit. Professor Raftopoulos is more cautious than Pahad, pointing out that South Africa could have applied more pressure within SADC, playing a more outspoken role. But he also points to the gains that were made through the diplomatic efforts of Mbeki in particular:

*"In retrospect, looking at the policy of 'quiet diplomacy', the jury is still out because there is a lot more we need to know about how the policy has unfolded. One can say that people might look a little more kindly on President Mbeki's role in the sense that it's clear he held the major players together in the negotiations under very difficult conditions. Obviously at times it seemed this meant leaning much too sympathetically towards Robert Mugabe; but also the process opened up some opportunities, particularly around the changes of the March election; the reforms introduced, the continued efforts to keep the parties together and the determination to see that through. This therefore allowed opportunities to move Zimbabwe beyond the brink.*

*There is also the problem and the argument that Mbeki did not make sufficient effort to create a different kind of alliance in SADC, a democratic alliance to put more pressure on Mugabe at an earlier period. There may be a sense that could have been done, but it is clear that there were strong forces in SADC who were keen to keep supporting Mugabe: the Angolans, the Namibians. Without these big voices in SADC, it would have been very difficult for Mbeki, even if he had wanted to, to begin to*

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<sup>105</sup> Aziz Pahad, private interview, SALO, Johannesburg, South Africa, May 15, 2009.

*create alternative dynamics within SADC. So the question remains a difficult one, but one can say cautiously that one would have to believe that Mbeki helped to move the situation forward, notwithstanding the problems that still exist.*<sup>106</sup>

Judith Todd agreed with the analysis but also raised concerns about how the approach was perceived in the face of the extreme violence and disregard for human rights inside Zimbabwe:

*“What continues to baffle me and so many other people about that policy of quiet diplomacy was that it seemed to indicate a really callous disregard of the suffering of the people of Zimbabwe. This was not only former President Mbeki but those who were aligned with him in pursuing their policy, particularly those South Africans who came as election observers and who gave Mugabe the thumbs up.”*<sup>107</sup>

The Institute for Global Dialogue’s Garth Le Pere acknowledges that quiet diplomacy had a useful impact, but that this was muffled because of its failure to link to public pressure:

*“South Africa did not use its diplomatic reach adequately to extract more concessions from President Mugabe. You needed quiet diplomacy because of the nature of the regime, the nature of the challenge, the kind of polarisation of the regime the country was facing and you needed a mediator that was sensitive to the challenges of dealing with the problems. But President Mbeki failed a bit in that he did not take it to the public. There wasn’t an adequate public diplomacy to highlight the problems he was experiencing in the mediation and to bring more public pressure in terms of accelerating the process of change.”*<sup>108</sup>

H.E. Andrew Pocock, British High Commissioner in Zimbabwe, interviewed at a SALO BIC meeting days before the MDC entered into the GPA, acknowledged the role South Africa played in building a consensus within SADC that brought the MDC into the agreement, but remained sceptical about the strategy’s success over the longer term:

*“I think there are several groups of consensus if you like; the European Union, the United States, Australia, Canada, New Zealand. There is a strong consensus about misgovernance in Zimbabwe and I think there’s a very strong sense of what needs to be done and the kind of pressures on the one hand that need to be brought, but also the elements of relief firstly humanitarian support and then the developmental inputs once things change. There are other forms of consensus like the regional SADC consensus, led at the moment by South Africa as SADC chair. That’s a different view of Zimbabwe, as far as we can judge. They take the view that provided an inclusive Government can be formed, if Tsvangirai can be edged or pushed into the Government essentially with Mugabe still in charge, somehow that solves all the problems. That’s where the circle breaks itself. We’ve seen an outcome very like that emerge from SADC earlier this week with the strong sense that Morgan Tsvangirai will join the Government very quickly. Whether that works is another matter.*

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<sup>106</sup> Brian Raftopoulos, private interview, SALO, Cape Town, May 29, 2009.

<sup>107</sup> Judith Todd, private interview, SALO, Cape Town, , May 29, 2009.

<sup>108</sup> Garthe Le Pere, Institute for Global Dialogue, private interview, SALO, Pretoria, May 15, 2009.

*There are two wholly respectable views of this. One view is Mugabe will never change, that what's going to happen is that the unity pact, part two, is that the MDC will go in and it will be unity only in the sense of digestion unity. The other view is that there is nothing the MDC or the democratic forces in Zimbabwe can do outside Government. They need to be inside and once they are inside they can gain a bit of traction. Perhaps their old friends could help them here and there and they could surely create a balance. Well, I don't know which one of these versions is true. I turn more to the former, but the latter exists as the situation we're inheriting very soon and only time will tell.*"<sup>109</sup>

However the longer term future of the GPA proves itself as a vehicle for transition or is exposed for its weaknesses, there is little doubt that SADC will have to play a major role in overseeing the process. It is the guarantor of the agreement. Given South Africa's powerful role in the region, and its 2009-2010 role in the politics and security 'troika', the relations between South Africa and Zimbabwe are inextricably caught up in the dynamics of SADC itself – in which South Africa has a role with some power.

Civil society recognises SADC – the implementing organ of the AU – as a key player with the potential to make or break the transition process. In an open letter written to the Speaker of the South African Parliament, the Honourable Max Sisulu, the *Save Zimbabwe Now* campaign appealed directly to parliamentarians and the South African government to influence SADC to move the democratic transition process forward:

*"The rule of law in Zimbabwe has become a mockery of justice where court rulings can be changed from one day to the next or simply ignored by the ruthless security apparatus. The bully-boys of ZANU-PF appear willing to stop at nothing in their efforts to retain the control of the state that enables their ongoing looting and pillaging of the countries resources.*

*These actions come in the wake of increasing concerns over the failure to implement critical aspects of the Global Political Agreement. They represent a further slap in the face for SADC and the African Union, and are contemptuous of the role South Africa has played in their efforts to obtain a mediated outcome to the stolen electoral process by soothing the concerns of military stakeholders.*

*As guarantors of the agreement SADC and the AU are compelled to speak out forcefully on these detentions. They are in direct violation of agreements reached between the principle stakeholders within the mediation process and are further evidence of the total disregard in which the Zimbabwean people are being held.*"<sup>110</sup>

The willingness of SADC to take on this role was becoming clearer by February 2009, evidenced in a discussion between the SADC Council of Ministers (the regional body that sets the agenda for the Heads of State Summits, where ratifying recommendations presented by the Council is often little more than a formality). The February Council of Ministers:

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<sup>109</sup> Andrew Pocock, British High Commissioner to Zimbabwe, private interview, SALO, Cape Town September 9, 2008.

<sup>110</sup> Siphosiso Theys, Coordinator, Zimbabwe Solidarity forum, on behalf of the Save Zimbabwe Now Campaign, Cape Town, South Africa May 6, 2009.

*“... urged Zimbabwe to uphold the spirit of the Global Political Agreement and ensure its effective implementation. It further requested the Government of Zimbabwe to keep SADC informed on the developments at the grassroots level in Zimbabwe aimed at strengthening the position of Member States in their efforts of drumming support for the country’s economic recovery.”<sup>111</sup>*

This role would be tested at the September SADC Summit by a formal letter sent to the regional body by the two MDC formations concerned over aspects of the agreement on which ZANU-PF appears intransigent. Addressed to President Zuma, in his position as the Head of State of South Africa and the current SADC Chair, and copied to SADC Executive Secretary, Augustos Salomao, Jean Ping of the African Union and the SADC-appointed Facilitator, Thabo Mbeki, the letter made a direct appeal to SADC:

*“We regret to advise that despite innumerable meetings between the three Principals, the above issues remain unresolved. It would appear that on the part of ZANU-PF the issue of the Reserve Bank of Zimbabwe Governor and the Attorney General are no issues at all and thus not open for discussion.*

*With regard to the issues of Provincial Governors, although the Negotiators agreed on a formula, there is little progress in the implementation of the same and more importantly in ensuring that new Provincial Governors are appointed in terms of the agreed formula.*

*The failure to address the above issues is clearly affecting the credibility of the Inclusive Government. It is also causing great misapprehension in our respective political parties.*

*In terms of Article 22.6 of the GPA, the same shall be guaranteed and underwritten by SADC, the African Union and the SADC appointed Facilitator.*

*We thus write to you, in terms of the above provision, kindly requesting you to intercede in this matter to ensure that the above three matters are solved as a matter of urgency.”<sup>112</sup>*

The letter was ignored. So too were the rulings of the SADC tribunal, and the disputes centring on them.<sup>113</sup> The Tribunal can make rulings on cases, but can only make recommendations to the summit on what to do with non-compliant member states. The final decision rests with the heads of state. In the judgement on a case in which Zimbabwean farmers argued that the Zimbabwean state had been non-compliant with an earlier ruling allowing them to stay on farms from which they had been forcibly evicted, Judge Ariranga Pillay said “the applicants showed ample material of the state of Zimbabwe's non-compliance [with the earlier ruling] and the Tribunal will report its findings to the SADC summit”.

Raftopoulos makes the final point that within the context of the Zimbabwean domestic power dynamics, South Africa in particular has a role to play ensuring SADC and the AU hold violators of the agreement accountable:

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<sup>111</sup> Tendai Biti, The Extraordinary SADC Ministers of Finance Meeting, February 25, 2009.

<sup>112</sup> Morgan Tsvangirai and Arthur Mutambara, letter to SADC, May 29, 2009.

<sup>113</sup> Thomas Hubert, ‘SADC tackling mission impossible’, *Sunday Independent*, September 6, 2009

*“South Africa, SADC and the AU now have a key role to ensure that the letter and the spirit of the GPA are implemented; that key changes in the democratic framework around the division of power within the state, opening up of the media, opening up of the public sphere for civil society and opposition to operate in, a more accountable and effective parliament and new constitution process. That these issues are implemented and implemented steadily and that anybody who breaks that agreement, particularly ZANU-PF, knows that there is very serious accountability within the region and on the continent if they go against what was agreed in September of last year.*

*Therefore vigilance around this political question, as well as ensuring strong economic support for this transition, are key elements in which South Africa in particular, but also the regional and continental organisations can play a role.”<sup>114</sup>*

### **The Economic Crisis, Humanitarian Aid and Investment**

Perhaps economic recovery is the most significant challenge faced by the Zimbabwean Unity Government, and the area most closely tied to South African interests. The extent of the economic collapse and the depth of the crisis under which the New Government came to power are well documented in the economics section of this document, as well as the historical ways in which the South African and Zimbabwean economy are intertwined.

Professor Raftopoulos has described the contextual economic challenges, pointing out that the vulnerability created by the crisis lays Zimbabwe open to a range of external financial interests that may put their own interests well before those of Zimbabwe.

*“The GNU has to confront some formidable economic constraints including: hyperinflation; a worthless national currency resulting in a dollarization and randisation of the economy; widespread poverty and breakdown of livelihoods in both the rural and urban areas; rapid informalisation of the economy; enormous food shortages; and a humanitarian disaster that has developed in the context of the breakdown of the health and educational services in the country.*

*Thus one of the great ironies of Mugabe’s so called ‘anti-imperialist’ politics has been to make Zimbabwe more vulnerable than ever to the dictates of international finance, with the likelihood that South Africa will preside over the new macro-economic stabilization programme that is likely to unfold in Zimbabwe.”<sup>115</sup>*

The critical importance of the economic reform agenda outlined within the GPA is clearly at the centre of the normalisation strategy, yet its very nature provides a bleak way forward for the majority of Zimbabweans driven into poverty by the old regime’s policies.

The ability of the state to provide the desperately needed humanitarian relief and the services will be severely curtailed by the debt-driven neoliberal economic package apparently endorsed by the agreement, and the dependence on international credit and foreign direct investment on which it is founded. This strategy may hinder the material change needed in order to prevent a return to violence or an uprising of civil discontent:

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<sup>114</sup> Brian Raftopoulos, private interview, SALO, Cape Town, May 29, 2009.

<sup>115</sup> Brian Raftopoulos, *What prospects for the GNU?* Solidarity Peace Trust, 2009

they are at best likely to provide a stable framework that will yield results for the majority only in the long term.

Compounding the problem is the need of the Unity Government, and the MDC in particular, to demonstrate the dividends of having gone into what is perceived by many as an unequal and potentially damaging form of co-option by an old and wily adversary. Simultaneously, the donor community - with the potential to make the necessary resources available - is unwilling to give up one of the few remaining forms of leverage it has over a ZANU-PF elite whom they perceive as historically untrustworthy and easily able to renege on a deal. As May-Elin Stener, the Minister Counsellor at Pretoria's Norwegian embassy put it,

*"We, and also lots of the colleagues in the more traditional donor countries, are not yet at the stage where we will contribute directly State to State to the transitional inclusive government. The democracy process must be considerably further strengthened before we can do that. We have to be even more sure that the current Finance minister has control over the dispensations of finance in the country."*<sup>116</sup>

This catch-22 within which the New Government is trapped is a source of tension between the MDC formations and the donor community. Arthur Mutambara, Deputy Prime Minister and President of the smaller MDC formation, summed this up aptly in his maiden parliamentary speech:

*"Here is our message to the US, the British and the Europeans; you must remove all sanctions, any type of measures, call it what you may, that you have imposed on our country. You cannot adopt a wait and see attitude. You cannot give us conditions, such as signs of progress, inclusiveness and entrenchment of democracy and the rule of law. While these are our targets, to achieve them we need financial resources and assistance."*<sup>117</sup>

Mr. Ibrahim Abass, acting Ghanaian High Commissioner and Minister Counsellor in South Africa, also spoke out on the issue at a SALO's April 2009 meeting. He also pointed to the international economic crisis, forewarning Zimbabwe of its impact:

*"Helping Zimbabwe attract donor support or funds from states is critical but the opportunities for this are bleak. We all know where the Western Countries stand. For now, they are not ready to go in ... We had thought that China, who had been a very good ally of Zimbabwe, would come in well on Zimbabwe's side, but China is also for now hit by the global economic crisis. The same thing applies to Japan, and Korea also - everywhere - so Zimbabwe's case is worsened, at a very unfortunate time when the whole world is in crisis.*

*Even those who have good intentions will not be able to come in for now, because they are all battling with their internal problems.... Everybody's house is on fire so nobody will want to carry water for somebody else's house, so for now let us*

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<sup>116</sup> May-Elin Stener, Minister Counsellor, Norwegian Embassy, SALO BIC meeting, Pretoria, April 20, 2009.

<sup>117</sup> Arthur Mutambara, "Understanding and Embracing the New Dispensation in Zimbabwe". Parliamentary Maiden Speech, Harare, March 25, 2009.

*encourage Zimbabwe, commend them for what they have done so far and encourage them to continue with their internal reforms.”<sup>118</sup>*

In the face of donor reluctance the GNU has appealed to private investors. This may stimulate the economy, but it is unlikely the private sector will lead the way with investment risks still largely untested. H.E. Abass argues that the state itself will have to rehabilitate the economy, and create attractive investment conditions, using state-to-state credit lines, before it can expect significant private sector investment. While South African investors are poised, recognising the opportunities presented by a revived Zimbabwean economy, there is still a degree of reluctance to engage, especially with the Bilateral Investment Promotion and Protection Act (BIPPA) unsigned and as yet untested.

Zimbabwean Finance Minister Tendai Biti told delegates to the World Economic Forum in South Africa that BIPPA would provide a framework for loans from the private sector estimated to be in the region of 2.75 Billion ZAR (Biti, 2009)<sup>119</sup>. Significant to this agreement was the initial dispute over the inclusion of clauses related to the previous government's fast track land reform programme and the security of land tenure. Negotiations over the signing of the agreement have been delayed as lawyers acting on behalf of the investment community struggled to secure the necessary wording that would make the Agreement sufficiently legally binding in the case of any dispute that may arise should the GPA fail.

Abass is adamant that the new Zimbabwean state still has a lot of work to do:

*“Given Zimbabwe's current situation, investors will be very reluctant to go in. There has to be state-to-state assistance to first rehabilitate the economy, the infrastructure and to rebuild industries and make it attractive enough for private sector investors to then move in.*

*The new government will have to rely on donor supported official credit lines to first build up the economy. That will attract them. A week ago, a South African business consortium sent a delegation to Zimbabwe to assess the situation. It returned saying there are positive signals, but they are going to hold an investor conference to deliberate on what they have seen. What will come out of this conference will determine whether South African investors will want to go into Zimbabwe or not.*

*The conclusion I want to offer now is that, while these countries are sorting themselves out, let Zimbabwe concentrate on positioning itself to make itself more attractive to donor communities, to investment and so on. ... if the Government of Zimbabwe comes out with policies that are conducive to private business, the businesses that are affected will go in, but as long as they don't do this, it's going to take a long time.”*

South Africa is clearly Zimbabwe's largest trading partner, but the economic interrelations between the two countries go much deeper than trade. The potential of the Zimbabwean economy opening up to South African investors could provide a means to absorb some of

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<sup>118</sup> Ibrahim Abass, acting High Commissioner and Minister Counsellor for the Embassy for the Republic of Ghana in South Africa, SALO BIC meeting, April 20, 2009.

<sup>119</sup> Tendai Biti, Address to the World Economic Forum, Cape Town, South Africa, June 6, 2009.



the domestic effects of the global economic recession on South Africa itself. As the economy recovers, the opportunities to provide a springboard for private investors with a cautious interest in Zimbabwe is another spin off for South Africa.

At a press conference in Pretoria Zimbabwean Minister of Economic Planning and Investment Promotions, Elton Mangoma, appealed directly to South African investors:

*"In fact my plea was more to the South African business people than Government, because it is business that knows how profitable it's going to be to have trade relations with South Africa and therefore they can assist in a number of ways.*

*First, to be able to provide a number of lines of credit i.e. extend credit terms to their counterparts in Zimbabwe. The second is there are already people here with subsidiaries in Zimbabwe. We would like them to assist those subsidiaries as much as they can, including with capitalisation. And, finally, the South Africans can begin to look at Zimbabwe as going to be one country that is going to have the fastest economic growth in the, coming few years and to take the plunge and invest in Zimbabwe at this time, because there is a special strategic window for them to come in which might shut very quickly as everyone is looking. As business people they know when there is true risk the returns are much greater than when risk has been removed.*

*So, the South African business people can do far more than Government can do. Whilst there is a recession in the world, if South African business people start in earnest to trade with their Zimbabwean counter parts, it is very possible that this whole recession would pass by without both South Africa and Zimbabwe feeling it, but the choice is certainly controlled by South African business people and their Government."*<sup>120</sup>

Aziz Pahad recognised the links and the strategic importance of international engagement and economic recovery in Zimbabwe for South Africa:

*"It's in both parties' interest in the interim period to look beyond their own party interests, and to look at the interests of putting the economy back on track, creating the conditions for a political stability. In this case I think South Africa has a major role to play, being the economic power (of the region), but also understanding as a starting basis, that if things go wrong in Zimbabwe, we pay the penalty as well. Today's report is saying an estimated 7000 Zimbabweans are coming into the country every day, and these are some of Zimbabwe's best talent. I think that therefore, in our own interest, we must do everything now to take the process forward, to assist the interim Government, to convince the international community to come in. They can have their critical and constructive assessments, but that shouldn't preclude them from doing something concrete."*<sup>121</sup>

While the international donor community has been reluctant to extend support without more significant political changes, South Africa has been quick to seize the opportunity.

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<sup>120</sup> Elton Mangoma, Zimbabwean Minister of Economic Planning and Investment Promotions, Press conference, Pretoria, South Africa, , April 20, 2009.

<sup>121</sup> Aziz Pahad, private interview, SALO, Johannesburg, South Africa, May 15, 2009.

DirectorGeneral of Foreign Affairs Dr Ntsaluba outlined the South African financial undertaking with regards to Zimbabwe:

*“With respect to their immediate needs, South Africa has made an undertaking. We are just finalising the details. We will provide support to Zimbabwe in two forms – one form would be support to Zimbabwe through helping in some of the targeted sectors which we are currently discussing with Zimbabwe in line with our commitment to move speedily to alleviate the plight, particularly of the most vulnerable in Zimbabwe. And of course, the second ongoing discussion is that of our Treasury and Reserve Bank and also with Zimbabwe with a view to what we can do regarding a credit line for Zimbabwe. And let me stress, the second area of the credit line, will be a commercial agreement. It will not be a grant, it will be, as the name implies, a credit line to be used by the Zimbabwean private sector. As to the details of that, I know there is a lot of speculation as to the amounts involved but we would prefer to not get into that because the discussions are ongoing and will be finalised pretty soon.*

*In conclusion on the Zimbabwean situation, as you know, our Minister of Finance is part of the Task team that has been established after the Extraordinary Summit to ensure they make representation to the international community. We also are aware that the Cabinet of Zimbabwe met recently for their strategic planning session and that they have devised a very clear programme and have also assembled a team that will be approaching some of the countries particularly the major donors. We believe these two endeavours will be complementary.”<sup>122</sup>*

In an effort not to be seen as spoilers of the agreement or as undermining the MDC, the international community has extended significant amounts of humanitarian aid to Zimbabwe, indeed extending the normal concept to that of ‘Humanitarian Plus’.<sup>123</sup> This has channelled funds and technical assistance specifically into the areas of food security and health, and to a lesser extent education. Although making a critical difference to the lives of the direct beneficiaries, it is controversial. Some commentators argue that by supporting the more humanitarian ministries, headed up by MDC Ministers, humanitarian aid perpetuates some of the political divisions hamstringing the New Government’s ability to find the unity required to move forward. Others argue that such aid, in the context of withholding development assistance and lines of serious credit, provides a moral basis enabling the international community to defend its refusal to provide the more extensive financial assistance required. Thus the ‘West’ is seen as continuing to impose conditionalities, seen by some as unwarranted external interference, indeed as ‘sanctions’.

Following the Zimbabwean Prime Minister’s June visit to the United States, President Barrack Obama announced that the U.S. would commit \$73 million to Zimbabwe, noting

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<sup>122</sup> Notes Following Briefing to Media by Director-General Dr Ayanda Ntsaluba, Media Centre, Union Buildings, Pretoria, Wednesday April, 8, 2009.

<sup>123</sup> United Nations Office for the Coordination of Humanitarian Affairs, Zimbabwe, *Monthly Humanitarian Update*, Harare: OCHA, May 2009. As of May 2009, the Consolidated Appeal Process (CAP) 2009 review estimated the need for US\$718 million for the humanitarian plus approach, which includes “activities which, although transitional in nature, are considered time-critical and life-saving in the context of Zimbabwe.” OCHA also announced a scoping mission comprised of the United Nations Country Team Zimbabwe, the World Bank, the European Commission, and the African Development Bank, which was working on a needs assessment.

that the aid would “not be going to the government directly because we continue to be concerned about consolidating democracy, human rights and rule of law, but it will be going directly to the people in Zimbabwe.”<sup>124</sup>

The Swedish Ambassador to Harare discussed the “humanitarian plus” idea:

*“There is now active consultation between us and the government. We had these fishmongers meetings in Washington on the 20<sup>th</sup> of March (2009). You may think: ‘What is this fishmongers? It sounds a bit fishy’. There is nothing fishy about it. It is just a name of a restaurant in Harare where this group met the first time. The most important bilateral donor countries constitute the fishmonger group.*

*... We have had a flow of important missions visiting Zimbabwe in the last month or so. So far the fishmonger, or the traditional international donor community, has come up with more than \$300million during the first quarter of this year, compared with the total amount of around \$600million for 2008. So we are stepping up our efforts under the so called “Humanitarian Plus Concept”. We are doing a lot to support the government in health and education; we are offloading expenses and items that would normally be financed by the budget thereby helping the government to persevere during the next few months. A lot of creativity is being displayed in this work. We are doing things that we are not normally doing.”<sup>125</sup>*

Charles Abani, Oxfam Regional Director, spoke to the need for flexibility and realism in the approach:

*“When one puts the 22 million being proposed by the World Bank for instance in the context of the trillions of pounds and dollars that have been spent on global bailouts for banks and stimulus packages for different sectors and countries in the current crisis, and weigh that against the potential impact of millions of lives of people who are in poverty in Zimbabwe, then I think the 22 million quite honestly is drop in the ocean. To tie it very seriously at this early stage to repayments of loans by the Zimbabwean government, are the sorts of flexibilities and conditions that donors need to look at more carefully. [They need to see] how they can enable Zimbabwe get back into a position where it repays its international debt, which we are not saying it shouldn’t be paying, that fosters a situation in which it can repay those debts rather than demand them as a kind of pre-condition for re-engagements.”<sup>126</sup>*

May-Elin Stener, Minister Counsellor at the Norwegian Embassy in Pretoria, added emphasis to the dilemma faced by the progressive donor community, also recognising the need for pragmatism and creativity in the search for solutions:

*“From the view of a donor country, the impression now, which is not entirely correct, is that aid money is not yet coming into Zimbabwe. There are considerable funds coming into Zimbabwe. The problematic part of it is long term aid and State to*

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<sup>124</sup> Barack Obama, President, United States of America, Washington, June 2009.

<sup>125</sup> Sten Rylander, Swedish Ambassador to Harare, SALO BIC meeting, Pretoria, April 20, 2009.

<sup>126</sup> Charles Abani, Regional Director, Oxfam GB, private interview, SALO, June 2009.

*State aid. In that regard, there is the dilemma of the connection between policy leverage, and the economy, as is the theme of this discussion.*

*We need to find how we can contribute to positive development in Zimbabwe. At the same time, we don't want to compromise the principles that we have ourselves, regarding democracy, power sharing, and respect for human rights. It is a conflict because we know that it is difficult to apply some measures without having the funds.*

*I think those issues that will be discussed further in Washington will be how we can further develop this so called humanitarian plus concept? How can we develop the step to step process and find solutions that are now strictly humanitarian and not traditional state to state aid? There we would need a more pragmatic and creative attitude. Some countries have already contributed in certain ways to help in giving salaries to teachers and health personnel to start rebuilding the country.”<sup>127</sup>*

Political analyst Shadrack Gutto argues that it will be up to Zimbabweans themselves to take the lead in any economic recovery. Recognising the importance of Pahad's comments on the outflow of intellectual capital from Zimbabwe, he raises critical questions around the role of the Zimbabwean Diaspora based in South Africa and around the world:

*“Zimbabwe is a very rich country. It is rich in agriculture, rich in minerals, rich in its intellectual capital. Unfortunately, that intellectual capital is no longer fully represented in Zimbabwe itself and a lot of it is scattered. South Africa has a very large share of that intellectual capital as does Britain and the rest is spread all over the world. How can Zimbabwe reclaim and recapture that intellectual capital to come back, or to connect with Zimbabwe even if it is not back physically? In the modern world, you don't need to simply be in a place to be able to make an impact. How is Zimbabwe targeting that intellectual capital or, put differently, how is Zimbabwe connecting with its Diaspora? I believe that the future of Zimbabwe depends a lot on how it's going to handle the Diaspora question. Probably its future will rely more on that than on the so-called 'Development Aid' from donor countries. This should be thought about.*

*From the beginning Zimbabweans must think of relying on themselves. That is why I indicated that there is a resource from this tragedy out there in the Diaspora, not just intellectual but also economic. It is a very, very important resource that ought to be used. But also, importantly, is the need to put in place really functional government with the rule of law that observes human rights. We hope that this is being done.”<sup>128</sup>*

There is agreement that although external assistance is critical, none of the important stakeholders will be able to move far or quickly enough without a state-led reform programme containing both economic and political changes. The Short Term Economic Reform (STERP) agenda developed by the New Government is an attempt to provide a detailed set of policies towards this end. The STERP is a “working document”, putting in place a medium term macro-economic policy agenda intending to stimulate economic engagement. Mangoma again:

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<sup>127</sup> May-Elin Stener, Minister Counsellor, Norwegian Embassy, SALO BIC meeting, Pretoria, April 20, 2009.

<sup>128</sup> Shadrack Gutto, SALO BIC meeting, Pretoria, April 20, 2009.

*"We have looked and say it is not going to be possible to lift Zimbabwe up on dollar aid, therefore I agree with Comrade Gutto. We have got to put in robust macro-economic policies to take our country forward and out of the short term. We are already working on the medium term plan, assisted by the UNDP, for us to start making sure that these policies are firmly put in place. By September what we call a working draft of the medium term plan should be out, incorporating a lot of the policies that are already either explicitly or implicitly announced in STERP."*<sup>129</sup>

Echoing the demand of STERP that, "all forms of measures and sanctions against Zimbabwe be lifted in order to facilitate a sustainable solution to the challenges that are currently facing the country",<sup>130</sup> Tsvangirai's message to the West has been:

*"Zimbabwean should not have to pay a further price for their determination to stand by their democratic ideals because the new government does not meet or match the 'clean slate' or 'total victory' standards expected by the West. As stated earlier, this new government is not perfect, but it does represent all Zimbabweans - it is positive, it is peaceful, it is committed to a new constitution and free and fair elections and, with international support it will succeed."*<sup>131</sup>

Minister Elton Mangoma provided some details in relation to STERP's intentions, explaining how the programme would stimulate investment and growth conditions – not only for Zimbabwe but the SADC economies as a whole:

*"Getting the economy working again is centred on reviving the agricultural sector, because if we cannot feed ourselves it is very unlikely that we will grow economically. And to feed ourselves, we need security of the person, security of tenure and availability of inputs for the coming season.*

*We also need, particularly for the winter cropping, the availability of electricity. This is also critical in getting the economy going. Right now our electricity generation capacity is below 40%. When we restore it – that is all that is required, restoring it – some of the things we have been working on are now coming on the basis of Hwange coal being made available to fire some of those thermal stations. That inability is holding us back. Not a lot of money is required to get the coal moving again but we don't have it. We are working with some of the institutions here like the Development Bank of South Africa to see whether we cannot unlock that log jam. If it is unlocked, we can have higher electricity generation restored because with the NamPower deal, a lot of the thermal stations there have been worked on. There is just a little bit of money still required to be able to finish off those generators and also to start looking at distribution capacity of that electricity.*

*It is vital for everybody to know that the hub of the electric grid in the southern region is Zimbabwe and therefore that infrastructure has got to be kept going for the sake of the region. The distribution capacity is key for the region. If this economic*

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<sup>129</sup> Elton Mangoma, Zimbabwean Minister of Economic Planning and Investment Promotions, SALO BIC meeting, Pretoria, April 20, 2009

<sup>130</sup> Government of Zimbabwe, *Short Term Economic Recovery Programme (STERP)*, March 2009, pp. 11-12.

<sup>131</sup> Morgan Tsvangirai, 'Don't make us pay for working with Mugabe', *The Zimbabwe Times*, April 4, 2009.

*slow-down in South Africa is taken away there would be a serious shortage of electricity here as well and you will need the electricity generated up north to find its way down south. So this is truly a regional issue that has to be looked at from a distribution point of view.*

*We have looked at the issue of provision of credit lines into industry. South Africa and Botswana have already pledged lines of credit. The modalities are being finalised to make sure that they start trickling in. The other SADC members are going to finalise their pledges on the sides of the IMF meeting next week. The amounts may be small to some people but they are significantly symbolic in that despite their small size, some of these countries are doing so much. We are very humbled with the assistance that we are getting from our neighbours.”<sup>132</sup>*

*STERP has already begun to have an impact on the global financial institutions with the potential to provide the backing that Zimbabwe has requested. Following a high level delegation to Zimbabwe and an intensive round of discussion, the IMF Executive Board approved a package of targeted financial assistance. While this is clearly linked to the IMF need to also begin repatriating some of the outstanding Zimbabwean debt it does provide some short term relief. It will target tax policy and administration, payments systems, lender of last resort operations, and central banking governance.”<sup>133</sup>*

Professor Raftopoulos notes, finally, the ways in which South Africa and Zimbabwe have become inextricably tied to one another. Zimbabwe’s reliance on SADC’s support has made its crisis, and its reconstruction, an issue for the region as a whole:

*“One of the major issues and developments emerging out of the Zimbabwe crisis is that Zimbabwe and South Africa are now more closely linked than ever before although, of course, in a very unequal relationship at many levels. Zimbabwe’s sovereignty has been so severely eroded by the economic and political crises that all Mugabe’s claims of anti-imperialism and sovereignty mean very little. It is strongly reliant, more than ever, on the region and South Africa, to move forward. Politically the future of both countries depends on each other. South Africa, very keen to have a stable neighbouring state and very keen to put in place an agreement that ensures some kind of stability, therefore requires continual feedback and linking to the politics of Zimbabwe. South Africa will be overseeing the reconstruction of Zimbabwe, whatever the economic programme that comes through. The fact that South African businesses are much more entrenched in the Zimbabwean economy because of the crisis, means that the future of the two countries is even more closely linked than ever. It therefore makes increasing sense to look at the kind of collaboration, political, economic and diplomatic that must take place between the two countries but also with SADC in general.”<sup>134</sup>*

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<sup>132</sup> Elton Mangoma, Zimbabwean Minister of Economic Planning and Investment Promotions, SALO BIC meeting, Pretoria, April 20, 2009

<sup>133</sup> International Monetary Fund, Press release No. 09/152, IMF Executive Board Approves Targeted Technical Assistance to Zimbabwe 06/06/09. Zimbabwe has been in continuous arrears to the IMF since February 2001 and is the only case of protracted arrears to the PRGF-ESF Trust, which currently amount to SDR 89 million (about US\$133 million). The remedial measures that have been imposed on Zimbabwe with respect to these arrears are the suspension of technical assistance (now partially lifted) and the removal of Zimbabwe from the list of PRGF-ESF-eligible countries

<sup>134</sup> Brian Raftopoulos, private interview, SALO, Cape Town, May 29, 2009.

Beyond the political and economic spheres, this collaboration is most obvious in the areas of addressing Zimbabwe's humanitarian needs (and the long term process of reconstruction necessary to prevent a similar breakdown in the future), as well as the longstanding impact that migration from Zimbabwe will have on South Africans. The following sections try to explore the nature of these two areas in more detail.

### **The Humanitarian Crisis, Migration and the Zimbabwean Diaspora in South Africa**

At the height of Zimbabwe's humanitarian crisis over 6000 people a day were estimated to be crossing the South African border. While the number of Zimbabwean migrants, refugees and asylum seekers is still under dispute, there is now a general acceptance within the South African Government of the extent of the migration. In June 2009 President Zuma made it clear that this aspect of the context was an important factor in influencing policy in relation to Zimbabwe:

*"Because of the size of South Africa and its economy, Zimbabweans tend to come here in big numbers. Now that affects South Africa. It's an important point to take into account as we deal with the Zimbabwean situation, that it's not just a situation that affects Zimbabwe only. Zimbabweans are flocking to Botswana, Mozambique, Malawi and Zambia, and therefore it is affecting the whole region. We have got a situation, and therefore the correcting of the Zimbabwean situation is important, because it does ease the pressure that you would have in South Africa. The estimation is that between three and four million Zimbabweans are here; that's not a small number."*<sup>135</sup>

While the GPA may have reduced the levels of overt political violence and torture contributing to the flood of refugees entering the country, economic conditions remain largely unchanged for the majority. *Médecins Sans Frontières* (MSF) released a June 2009 report highlighting ongoing migration as a necessary form of survival for thousands of Zimbabweans:

*"Each day, thousands of Zimbabweans cross the border into South Africa, many risking their lives to flee economic meltdown, political turmoil, and a critical lack of access to health care in their country. In the past several years, the crisis in Zimbabwe has given rise to food insecurity, an unprecedented cholera epidemic, political violence, rampant unemployment, an escalating HIV crisis and the near-total collapse of the health system. This breakdown in Zimbabwe has driven nearly one quarter of the entire population into neighbouring countries, particularly South Africa. And despite claims that Zimbabwe is 'normalising' following the establishment of a Government of National Unity, Zimbabweans continue to cross the border every day, legally and illegally, in massive numbers as a matter of survival."*<sup>136</sup>

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<sup>135</sup> Jacob Zuma, South African President, interview SAPA, June 10, 2009

<sup>136</sup> Médecins Sans Frontières, *No Refuge, Access denied: medical and humanitarian needs of Zimbabweans in South Africa*, Cape Town: June 2009.

The report exposed the harsh conditions faced by the migrant community in South Africa and the challenges for the ability of South Africans to meet their constitutional obligations:

*“Upon arrival, many Zimbabweans endure further suffering in South Africa, without access to proper health care, shelter or safety. During their journey to and within South Africa, they are subjected to violence, physical and verbal abuse, police harassment, inhumane living conditions and xenophobic attacks.*

*The South African Constitution guarantees access to health care and other essential services to all those who live in the country - including refugees, asylum-seekers, and migrants - regardless of legal status. However, in practice, the fear of arrest, deportation, and xenophobia, coupled with a lack of accurate information about their rights, has kept many Zimbabweans from accessing basic services necessary for survival. Today, Zimbabweans are still often charged exorbitant fees to access public facilities despite policies to the contrary, turned away from hospitals when they need admission, discharged prematurely, or subjected to harsh treatment by health staff in the public services.”<sup>137</sup>*

The presence of so many Zimbabweans in South Africa contributed to the outbreaks of xenophobic violence in May 2008, and is still a major source of community level tension. The outcries from rights activists and the damage to South Africa both domestically and internationally caused by both the outbreaks of xenophobic violence and the ill-treatment of migrants by state institutions put pressure on the South African government to take action. This extends to finding political and economic solutions to the root causes of the migration, but also includes the need to find more effective domestic policies and to deal more humanely with the migrants' plight.

Braam Hanekom of PASSOP links the xenophobic violence, the impact it has had on the state, and the implications of perceptions that the South African Government is doing too little to acknowledge and resolve the crisis in Zimbabwe.

*“The xenophobic violence, peaking in May 2008 was really an eye opener. It brought a lot of international attention and pressure on South Africa to deal with the immigration crises. It highlighted many of the daily struggles the immigrants face. In a sense the xenophobic violence in May forced the state to assist immigrants because, after the violence, people were displaced and suddenly the South African government was forced to feed, accommodate and assist the immigrants they had not been assisting.*

*It is important also to recognise that the xenophobic violence in Gauteng in particular was of an extremely harsh nature. There were several factors leading to it, but it was an indication of the frustration that South Africans on the ground have with the situation in Zimbabwe and the consequences of that situation, for the labour market in South Africa. So we paid for South Africa's failed foreign affairs policy, and failed stance on Zimbabwe. The frustration of the people of South Africa was released against foreign nationals largely because South Africa has failed to deal*

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<sup>137</sup> Médecins Sans Frontières (MSF), *No refuge, access denied ...*



*with the Zimbabwean situation. South Africans do not want to have to suffer because of their government's failure to deal with the Zimbabwean crisis.*"<sup>138</sup>

ZSF coordinator Sipho Theys raised the issues highlighted in the MSF report in a February 2009 letter to parliament. He linked them directly to the climate of fear persisting beyond the initial xenophobic attacks. The ZSF called on parliamentarians to act decisively in dealing with the issues.

*"Part of our people-to-people solidarity includes exposing the horrific conditions faced by Zimbabwean refugees in South Africa. The poverty of so many people in South Africa extends to vulnerable migrants, and there are many who are hungry and cold at night, who have no shelter and no access to services, who are victims of sexual abuse and exploitation. The constant threat of harassment, extortion or deportation from corrupt South African Police Service Officers, and the inhumane treatment often received from Home Affairs officials, is compounded by an undercurrent of violence and fear that still exists following the outbreaks of xenophobic violence in May last year. Here is an area of enormous need that the South African Parliament could begin to address today!"*<sup>139</sup>

The South African government has made significant shifts in domestic policy on Zimbabwean migrants. The waves of deportation during the 2008 migration led to the government being accused of demonising Zimbabweans, and contributing to their victimization during the xenophobic attacks. New policies relating to Zimbabwean migration were announced following the GPA signing, including the introduction of a visa-free entry facility allowing Zimbabwean passport holders the right to work in SA for 90 days. In addition a proposed special permit for undocumented Zimbabweans already in the country would have afforded them legal status for up to a year as well as access to services such as health and education.

The move was heralded by migration experts, arguing it was a positive shift that would benefit migrants, and that was also in the best interests of South Africa. In a May 2009 report the Forced Migration Studies programme at the University of the Witwatersrand outlined the positive benefits of the proposed new policy and drew attention to the international recognition that it would bring South Africa:

*"This new package of policies, especially the special dispensation permit, is in South Africa's best interest. It responds to perceptions that, in the context of a recession and a newly elected administration, regularising Zimbabwean migration may not be a priority or that it may have negative impacts for South Africans. In fact, the regularisation of Zimbabwean migration is consistent with and complementary to many of the key goals of the new administration.*

*The introduction of special temporary permits to manage complex mixed migrations is increasingly common internationally. South Africa is likely to receive significant international recognition and support for adopting this policy, given widespread interest in supporting regional stability and Zimbabwean reconstruction.*

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<sup>138</sup> Braam Hanekom, Coordinator, PASSOP, Interview with SALO, Cape Town, May 10, 2009.

<sup>139</sup> Sipho Theys, Zimbabwe Solidarity Forum, letter to parliament, February 2009.

*Regularising movement between South Africa and Zimbabwe will help the new government achieve its development goals by facilitating efforts to combat corruption, protect labour standards, up-skill the economy and fight crime. While the free visa and special dispensation permit are clearly insufficient to achieve these broader policy aims on its own, these challenges will be much more difficult to tackle without the effective implementation of the permit.*

*The new policies are unlikely to increase overall volumes of migration from Zimbabwe to South Africa. In fact, they are likely to enable Zimbabweans in South Africa to return more rapidly. Out of a range of legal policy options for regularising movement between Zimbabwe and South Africa, the proposed special dispensation permit is the most appropriate to the context [Zimbabweans' need to work and to move freely between countries] and most easily implemented.”<sup>140</sup>*

Despite the positive potential of the new move, in June 2009 government spokesperson Ronnie Mamoepa announced that the proposed policy was sent back for discussion on the “nature, scope and implication of the decision.”<sup>141</sup> While this may delay the implementation of the policy in order to allow for broader consultation between government departments and with neighbouring countries other than Zimbabwe, it is unlikely that the South African government (SAG) will be able to continue with the current unmanageable system, and the political risks it poses. Some new form of domestic policy is inevitable. The opportunity to exploit the human resource base that forms part of the migration process, providing a source of cheap labour and addressing the skills shortage in South Africa, will undoubtedly form part of this.

While this process of reformulating migrant policy continues, there have been additional South African efforts aimed at addressing the humanitarian consequences of collapse in Zimbabwe itself. In response to the cholera crisis South Africa dispatched teams of medical doctors and military health personnel to the Zimbabwean border and provided clean water in Zimbabwe itself. While this may have been at least partly motivated by the need to contain the crisis that threatened to create panic amongst South Africans at a critical time for the ruling party, given the upcoming election, it also began a process of intervention, motivated publicly by humanitarian need, which laid a foundation for future more decisive action.

Charles Abani, Oxfam Regional Director for Southern Africa, spoke to the role South Africa and SADC could play in this regard:

*“Oxfam, as an humanitarian agency is not involved in the politics of Zimbabwe but is concerned with the very real humanitarian issues, the issues of human rights abuses that individuals face in Zimbabwe, and some of the kinds of leadership that we feel South Africa as a key influencing country not just in SADC but across the African Union. This role is protecting the rights of individuals, reducing the amount of impact of humanitarian disaster and suffering on poor people particularly, and of creating the circumstances within the region for rights to be demanded and achieved*

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<sup>140</sup> Forced Migration Studies Programme, ‘Regularising Zimbabwean migration to South Africa’, University of Witwatersrand, May 2009.

<sup>141</sup> Ronnie Mamoepa, Home Affairs spokesperson, June 9. 2009.

*by individuals. ... There have been very real and practical impacts of the crisis [in Zimbabwe] and there are many questions around political unity, the role of regional institutions, and the expected role South Africa should or could have played in terms of mitigating the impacts of the crisis particularly on poor people.*"<sup>142</sup>

A further South African humanitarian intervention in December 2008 caused much embarrassment. Citing the urgency of the situation amidst a worsening food shortage, South Africa unilaterally provided a R300 million agricultural package, linking the aid package to the formation of the New Government. A statement claimed that it consisted of agricultural goods and not cash. However the failure by the SAG to work through the Zimbabwe Humanitarian and Development Assistance Framework (ZHDAF), a concept launched in Harare on 21 December 2008, by the Southern African Development Community (SADC), appeared to have allowed for the resources to be diverted. The United Nations Office for the Coordination of Humanitarian Affairs - Integrated Regional Information Networks (IRIN) quoted Nelson Chamisa, national spokesman for MDC-T:

*"We are absolutely in the dark - all we know is that the aid has disappeared in ZANU-PF structures and its machinery. It is out of our control."*<sup>143</sup>

South Africa was accused of deliberately side-stepping SADC, raising questions about the aid's real intention. Subsequently the SAG has made several public statements of support for the ZHDAF concept. The framework has since gained more structure and was formally announced through a media release on the 7<sup>th</sup> January 2009. At a launch attended by Zimbabwe Government Officials, UN Agencies, private sector, farmers organisations, religious organisations, donors, and other stakeholders, the Executive Secretary of SADC, Dr Tomáz Salomão, said one of the important expectations from the Working Group was that the different representatives would effectively share information in order to avoid duplication of efforts on assistance from various sources.

SADC outlined that:

*"The ZHDAF is not meant to contradict, compete or replace any of the already existing mechanisms through which assistance is being given to Zimbabwe. The ZHDAF is part of SADC's efforts to find a sustainable and lasting solution to the challenges facing the people of Zimbabwe through meaningful assistance.*

*In launching the Committee, Dr. Salomão explained that the process of developing the framework has been very consultative with all the key stakeholders in Zimbabwe and that the progress made thus far has been through the collective effort and concurrence of all the stakeholders. He emphasized the necessity and importance of the implementation of the humanitarian and development assistance in a non-partisan, transparent, effective and efficient manner. In this regard, the Executive Secretary said that these guiding principles had been agreed upon by the stakeholders and will be strictly adhered to.*

*The Executive Secretary requested the stakeholders to provide names of individuals who will serve on the Working Group to His Excellency the Ambassador of South Africa to Zimbabwe, by Monday 12<sup>th</sup> January 2009. The first meeting of the*

<sup>142</sup> Charles Abani, Oxfam Regional Director, Southern Africa, private interview with SALO, Pretoria, June 2009.

<sup>143</sup> Nelson Chamisa, MDC-T spokesperson, IRIN, Harare, January 21, 2009.

*Working Group is expected to take place before 16<sup>th</sup> January 2009. This first meeting of the Working Group will, among other things, review a draft of its Terms of Reference.*<sup>144</sup>

The Mexican Ambassador to South Africa, H.E. Louis Cabrera, cited the need for technical cooperation as an essential form of assistance from the international community during the transition. According to Ambassador Cabrera this form of assistance would enable those without the economic resources to still be part of the process of support and solution seeking that was required in Zimbabwe.

*“What can we as countries from outside of the region do? Our country is not in the position of donating or channelling funds to this amazing economic situation. But I think there are a lot of things that we can do and that we can incorporate, for example Technical cooperation. We have experiences on addressing certain problems that Mexico for example faces and we can share such problems with other countries in the region. Extreme poverty is an example.*

*It might be helpful in exchanging our experience in that area as we are already doing with other countries in the region. That’s only an example, but I think there are a lot of examples of programmes that might be useful and might benefit from cooperation between Zimbabwe and other countries in this situation.”*<sup>145</sup>

At a European Commission breakfast meeting in 2008 MDC Senator David Coltart, since appointed Minister of Education, Art, Sports and Culture, pointed out that whatever the political outcome of the unfolding political process in Zimbabwe, forms of humanitarian assistance would be essential:

*“In the medium term, we face two scenarios. The one is that the agreement collapses. The other is that we muddle along with the agreement in place, but with ZANU-PF at every turn trying to undermine it.*

*In the first scenario, if the agreement collapses, we will need intensified diplomacy and at the same time we will need increased support for humanitarian work, and for those involved in the struggle to bring about democracy. It is important that further resources be found to support those civic organisations, churches, and others, who are trying to, through non violent means, achieve a resolution to this.*

*Finally in the other scenario, where a cabinet is set up, I think that what the European Union needs to consider, is support for what I term the social ministries. There may be some reluctance to put assistance into ministries which may be seen to be propping up Robert Mugabe. If funding is directed through those, in that way the whole process will be supported, but also those interested in democracy will be supported.”*<sup>146</sup>

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<sup>144</sup> SADC Media Release, SADC Secretariat, Botswana, January 7, 2009.

<sup>145</sup> His Excellency Louis Cabrera, Mexican Ambassador to South Africa, SALO South-South dialogue forum, Pretoria, April 20, 2009.

<sup>146</sup> David Coltart, MDC Senator, EU hosted breakfast meeting, Cape Town, October 2008.

## **Towards the Future - Dialogue, Partnerships and Public Participation**

The futures of South Africa and Zimbabwe are both at critical junctures. The effectiveness or flaws of policies will be tested to their full extent only as time passes. The interdependence and inextricable links of both countries that this study has outlined will also be revealed as a source of mutual strength or a point of crippling vulnerability. Essential to this will be the building of the best relations possible between the two countries.

Wilfred Mhanda, once second in command of ZANLA but detained and tortured in the late 1970s by the Mozambican government at Robert Mugabe's request, has considered the form this relationship could take:

*"The best possible future relations between South Africa and Zimbabwe, would be emphasis on the implementation of the total Global Political Agreement and also the implementation of all the provisions of SADC protocols on elections, good governance, respect for the rule of law and so forth; that would then form the basis for any meaningful relations between the two countries. I would hope South Africa to ensure that all the provisions of the Global political agreement with South Africa together with the other SADC countries as guarantors. They have to ensure that all those provisions are fully implemented without exception. And they have also to recognise that what has happened in Zimbabwe is not progress, it is not a transition.*

*It is a set back because it represents a failure of democracy, failure of elections; that's why we ended up with this. We have to work our way backwards and that's a challenge for all of us. I would think what the new government of South Africa has to do is to ensure that there is a new constitution in place and there are free and fair elections, and then unlock the political impasse in Zimbabwe. Without unlocking that political impasse we will not move forward. Right now we still have a crisis; and we also have to recognise that beside the political actors, that is, the two MDC formations and ZANU-PF, there are other actors as well. There is civil society, they have to be brought on board, there is the military, they also have to be brought on board. If we don't want to involve these two other silent actors, I think we will not be able to achieve anything. South Africa should take a lead to ensuring that the military are held accountable for their actions and also they have to uphold the provisions of the constitution, respect for democracy, rule of law and so forth."*<sup>147</sup>

In order for South Africa and Zimbabwe to overcome the shared and individual challenges they face, they will need to build strong platforms of consensus between stakeholders. Richard Smith, ZSF activist, researcher and a SALO director, argues that at this point in the history of both countries there is a critical need that can be met through dialogue and consensus building processes:

*"There is an urgent need to recognise that differences in thinking about tactics and strategies around Zimbabwe, or around any of the challenges that face us as Africans, should really be secondary to a principled commitment to taking the struggle forward and to building the aspirant values and the type of democracy and*

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<sup>147</sup> Wilfred Mhanda, private interview with SALO, Cape Town, June 6, 2009.

*the kind of nation that we would like to see. There is a common vision that can be found if people are willing to talk together.*

*The way in which we achieve that vision will be different for different organisations and institutions, but the vision can be shared and the need for a common purpose and a common program would be to the advantage to all of the forces and forms of organisation involved. It's about how we take South Africa's struggle forward. Clearly 1994 didn't suddenly bring the panacea that cured all of the issues that needed to be addressed as a result of our history. But it was the beginning of a fresh form of struggle if you like. In particular issues like poverty, like inequality, like racism, like domination and subjugation, are things that are going to take much, much longer to resolve. We need a united common force in order to address them.”<sup>148</sup>*

Professor David Moore, interviewed by SALO alongside Wilfred Mhanda, spoke more on the possible scenarios that could unfold and the complementary actions different contributors could take:

*“The worst possible scenario would be if Zimbabwe would be like another Bantustan under the control of South Africa economically and perhaps even politically. I don't see that eventuality. I think Zimbabwe will retain its sovereignty but it will be a sovereignty founded on respect for popular will ... the only type of sovereignty that is worthwhile. I will agree with Wilfred that the South African state and also civil society must develop some sort of positive synergy with the new Zimbabwean state that is emerging. I think this transitional government will be important because whatever happens in the next 18 months to even 5 years if we really stretch things, will be like a new midwifery process, a new baby is being born. That baby could be born where these pacts are created which deny democracy; and this pact has come about because democracy has not been realised, it's been stopped, it has been stalled ever since 2000. That baby is a monster.*

*What South Africa can do is apply the protocols, work within the agreement; it has problems but it is the best that we have right now. I don't see the transitional government falling apart; I think there are too many interests that rely on it continuing, but it has to open up in very many ways. What can South Africa do about that, in the realm of economics and social goods? We could have synergies developing between health ministries, between civil society groups; it would be very good to see COSATU and other civil society organisations coming together more often with similar organisations in Zimbabwe.*

*What does the new South African regime mean as far as Zimbabwe goes? It is very unclear whether the state has to continue doing the sort of things that Thabo Mbeki did which was an overly exaggerated respect for the type of sovereignty which is actually an excuse for something approaching dictatorship. If that traditional relationship can change in the next few months and years this could indicate positive things for the rest of Africa. South Africa is very, very powerful on the continent, it holds about one third of the economy of Africa. So there is a lot which is contingent*

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<sup>148</sup> Richard Smith, a SALO director, private interview, June 6, 2009.

*upon these next few years and the Zimbabwe/South African relationship can indicate what is going to go on with the rest of Africa.”<sup>149</sup>*

SALO Board member Professor Rob Moore recognises the importance of dialogue in this process and spoke about it at a SALO Building International Consensus meeting in April 2009:

*“Our capacity to mobilise strategic engagements at particular niche points, points that can enable particular forms of dialogue to take place [is an important avenue of engagement]. Particularly in those areas that we can see where there is opportunity for dialogue and for those engagements to be framed within conditions of confidence. [To build] those conditions of confidence obviously we will have to have a dialogue internally and externally. If we can achieve a small number of exemplars of concrete success, those small exemplars will quickly grow into larger ones. I think that our task is to find those critical areas of engagement where we can move in quite quickly.”<sup>150</sup>*

This consensus and confidence building process will need to go beyond dialogue. It must create new forms of cooperative partnership to strengthen solutions that respond adequately to the complexities of the regional and international context within which they are developed.

At an international level this will need to include overcoming policy differences between, for example, Africa and the European Union. South African Ambassador to Nigeria Kingsley Mamabolo is optimistic in this regard:

*“I think there’s been a lot of progress. The Zimbabwean situation is no longer such a thorny issue between the EU and Africa in general. .... If you remember there was [in 2005] actually a refusal by the EU and Africa to meet because of Zimbabwe, because the EU would say: we will meet you, but we won’t meet you with Zimbabwe, or, we can’t invite you with Zimbabwe, however, we want to have these meetings. And Africa would say: no, we don’t accept that. Zimbabwe is an African country and if you are inviting us then all African countries must be involved.*

*There has been a lot happening; I think largely because of what is happening on the ground in Zimbabwe. There’s a common understanding between the EU and Africa that we need to do something to help the Zimbabwean people who are indeed suffering, despite our differences on policy and other things.”<sup>151</sup>*

South African President Jacob Zuma has acknowledged that the crisis in Zimbabwe is a regional issue, the resolution of which requires South African leadership and regional partnerships. Noting the Zimbabwean migration all over the region and the millions in South Africa, he remarked:

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<sup>149</sup> David Moore, Professor of Development Studies, University of Johannesburg, interview with SALO, Cape Town, June 6, 2009

<sup>150</sup> Rob Moore, SALO Board member, SALO BIC, Pretoria, April 20, 2009.

<sup>151</sup> Kingsley Mamabolo, South African Ambassador to Nigeria, private interview with SALO, Pretoria, December 2008.

*Therefore, this is no longer a Zimbabwean issue, but a bi-lateral one involving Zimbabwe and any of the other countries in the region. ... I call upon all countries in the region to support Zimbabwe get its economy back on track because these problems are also having a negative bearing on us – they strain our resources.*

*Countries in Southern Africa should all assist in mobilising aid for Zimbabwe, while all those other countries with the ability to help should do so now. SADC spent a lot of time in making the unity government come through, and so did the people of Zimbabwe. I think that Zimbabweans are doing their best in making the government work, and we must support them. There are some problems here and there, but we always knew that there would be problems and we need to support them overcome those problems. Any positive developments in Zimbabwe will ease pressure on us and that is what we must all work towards in the region.”<sup>152</sup>*

A few months later in Zimbabwe itself, Zuma added that this support should come if and when Zimbabwe was seen to be respecting human rights, and practicing democracy and good governance. Finance Minister Tendai Biti reiterated the fundamental question pointing to the differences characterising the transition:

*“I think that the fundamental question that has to be asked is, “Why did the MDC decide to participate in this government? What is this government anyway?” To some of us, it is a transitional government, to some of us it is a transitional project, an experiment in undoing the pillars of a dictatorship. This is an experiment in trying to achieve a democratic change without firing a shot.”<sup>153</sup>*

An essential aspect of the relationship building processes, which these partnerships require, is about building trust and nurturing hope. The role played by bridge builders such as the Southern African Liaison Office through its Building International Consensus network, bringing policy makers, civil society leaders and representatives of the private sector together to analyse and share challenges and solutions, is an important contribution towards these outcomes. Richard Smith highlighted this in his closing reflections at a SALO dialogue forum:

*“I think that today has been a day of recognising that there is hope, and in a desert of hopelessness which Zimbabwe has been over the past few years, this in itself is a huge achievement. Whether that hope will be nurtured into a tree that can nourish the kind of needs that the people of Zimbabwe have is utterly dependent on the building of trust. And trust is not going to emerge from nowhere; there is a high level of suspicion, a high level of mistrust. Building trust is dependent on how well we can get the power sharing agreement to get beyond this bartering of who gets to be the ambassador to which country and who get to be the provincial governor of which province. We need to get to the real aspects of the agreement that can make a material difference to the lives of ordinary people. That will be the measure of whether or not it will stand up, whether or not it will be able to deliver on what it has promised to.”<sup>154</sup>*

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<sup>152</sup> Jacob Zuma, South African President, quoted in an interview with SABC reporter Mxolisi Ncube, 08/06/09

<sup>153</sup> Tendai Biti, Zimbabwe Minister of Finance, Harare, June 6, 2009.

<sup>154</sup> Richard Smith, SALO Board member, private interview, June 6, 2009.



Minister of State in the Prime Ministers Office, Gordon Moyo, provides a conclusion that summarises aptly the value of the stake involved in the ability of the collective effort to ensure this delivery:

*“My job in the inclusive government is to work in the Prime Minister’s office. I’m working in the office of hope in the country. The people across the breadth, height and width of Zimbabwe are looking at that office, they are looking at it for salvation, for redemption for transformation, for change.”<sup>155</sup>*

Millions of people in South Africa on the African continent and across the world, share this hope. The following chapters present a longer-term perspective on *how* that hope was shaped.

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<sup>155</sup> Gordon Moyo, Minister of State in the Prime Minister’s Office, Zimbabwe, June 6, 2009.

## Chapter 2: The Historical Context

This chapter begins by exploring the pre-colonial and colonial periods informing the historical relations between Zimbabwe and South Africa. The influences of these historical factors on current relations between South Africa and Zimbabwe are also explored. It then analyses the post-colonial context within which policy decisions were made.

### **Pre-colonial and Colonial Relations**

As Moeletsi Mbeki put it in a discussion opening this study, “South Africa and Zimbabwe have a very very large set of relationships”. The longstanding African National Congress (ANC) activist, successful businessman and brother to former President Thabo Mbeki, continued:

*“The first one is a historical relationship which goes back to the 19<sup>th</sup> century. This is a very critical part of the aspect that doesn’t really get looked into, but has a big bearing on how the present relationship works. The second part is the cultural relationship between the two countries. The third part is a political relationship between the parties in the two countries. And then of course there’s a very comprehensive economic relationship between the countries. It’s a very big, comprehensive sort of relationship.”*

The 19<sup>th</sup> century *Mfecane*<sup>156</sup> in South Africa led to the emergence of new social and political identities in the region, including the settling of the Ndebele on the southwest of the Zimbabwean plateau after 1840. The changing Ndebele factor has been an important element of Zimbabwean politics from this period to the present. Moeletsi Mbeki interprets the consequences of *Mfecane* as follows:<sup>157</sup>

*“Mzilikazi created a caste system ... at the bottom of the which were the Shona; this is not very long ago, in the middle of the 19<sup>th</sup> century. The new Shona nationalists who eventually created ZANU in the early 1960s carried this grievance against South Africa: the subjugation and the oppression of the Shona. This undercurrent doesn’t get spoken about, but it’s actually a major reason why ZANU will never listen to the ANC. They see the ANC as having been a conqueror. In their view South Africa and the ANC potentially have an ambition to re-conquer Zimbabwe.”*

A more talked about conquest occurred in the 1890s, when a former Cape Premier and imperial businessman, Cecil John Rhodes, occupied what came to be Southern Rhodesia under the British South Africa Company (BSAC) in search of a ‘second Rand’, the legendary ‘riches of Ophir.’ The conquest was a combination of violence and legal trickery, which led

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<sup>156</sup> “Mfecane” means “crushing” in Zulu or also “a period of trouble” in Sesotho. According to the National Curriculum: “In African history, a series of disturbances occurred in the early 19th century among communities in what is today the eastern part of South Africa. They arose when Chief Shaka conquered the Nguni people between the Tugela and Pongola rivers, then created by conquest a centralized, militaristic Zulu Kingdom from several communities, resulting in large scale displacement of people”. Refer to [www.tiscali.co.uk/reference/](http://www.tiscali.co.uk/reference/). This chapter will further explore the historical ethnic factor of the *mfecane* and Shona and Ndebele divisions, still affecting politics in Zimbabwe today.

<sup>157</sup> Interviews, Pretoria, July 2007.

to a revolt by both the emergent Ndebele and Shona populations in the mid-1890s, and then gave rise to the 'First Chimurenga',<sup>158</sup> a central motif in later nationalist rhetoric and mobilisation. When the dreams of a second Rand proved illusory, the BSAC turned towards a longer-term settler colonial project entailing evictions and the exploitation of indigenous populations.<sup>159</sup>

White rule in Southern Rhodesia was marked by an ambiguous mixture of dependence and autonomy within a broader framework of economic, political, social, cultural and sporting links with South Africa. Even as the trade and financial links between the two economies grew, the younger settler Rhodesian state sought to assert its own particular identity within a broader imperial citizenship. The Rhodesian state, particularly after the Second World War, sought to give preference to British immigration into the colony and attempted to develop a particular 'etiquette' of settler domination to distinguish it from what it regarded as the cruder Afrikaner attitudes. Nevertheless, the Rhodesian state developed an industrial base that was crucially dependent on the mining, commercial and financial activities of British<sup>160</sup> and South African capital.

Even as South Africa influenced white Rhodesian politics, so too African politics were shaped partly by the formative examples of black South African politics. From the 1930s, organizations such as the Industrial Commercial Union (ICU) were influenced by the activities of Clement Kadalie and the ICU in South Africa. Meanwhile, migrant labour to South Africa, which dominated labour reproduction in the region, exposed these workers to South African labour organizations.<sup>161</sup> Moreover, as the Southern Rhodesian mass nationalist movements began to emerge they drew on examples of South African nationalist politics, as well as the intellectual influences of the University of Fort Hare. As nationalist politics grew in the 1960s and 1970s in both Zimbabwe and South Africa, cooperation developed between the nationalist parties. In the late 1960s the Zimbabwe African People's Union (ZAPU) and the South African ANC attempted a joint military operation in Wankie, an operation defeated by the Rhodesian state which increased the military cooperation between the latter and its South Africa counterpart.

It is significant to note here that the ANC in South Africa had close relations with ZAPU, and not the Zimbabwe African National Union (ZANU) which, led by Ndabaningi Sithole, split from ZAPU in 1963 (Robert Mugabe led ZANU from 1977). ZAPU, along with the ANC in South Africa, MPLA in Angola, Frelimo in Mozambique, Swapo in Namibia and PAIGC in Guinea Bissau, were regarded by the OAU as the authentic liberation movements on the continent. Organisations like ZANU and the PAC were at this time regarded in the ANC as

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<sup>158</sup> Terence Ranger, 'Connexions between "primary resistance" movements and modern mass nationalism in East and Central Africa', Parts I and II, *Journal of African History*, 9, 3 and 4 (1968) pp. 437-53 and 631-41.

<sup>159</sup> Michael O. West, *The rise of an African middle class: Colonial Zimbabwe, 1898-1965*, Bloomington: Indiana University Press, 2002, p. 25.

<sup>160</sup> Patrick Bond and Tamera Kapuya describe Rhodes and British imperialism as follows: "From the standpoint of British imperialism, the main benefit of Rhodes' rule in the region was to ameliorate the contradictions of global capitalism by channeling financial surpluses into new investments, extracting resources and assuring political allegiance to South African corporate power, which was in harmonious unity with the evolving British-run states of the region." "Arrogant, disrespectful, aloof and careless": South African corporations in Africa', *OpenSpace*, 1, 4 (June 2006).

<sup>161</sup> Charles Van Onselen, *Chibaro: African mine labour in Southern Rhodesia, 1900-1933*, London: Pluto Press, 1976; Charles van Onselen and Ian Phimister, *Studies in the history of African Mine labour in Colonial Zimbabwe*, Gweru: Mambo Press, 1978.

“spurious and stooge organizations,” as Tor Sellstrom, one of the key contacts between Sweden and the ANC during the liberation struggle, described it:<sup>162</sup>

*“In the mid/late 1980s, there was a book ....with speeches by O.R.Tambo, published by a Tanzanian publishing house. There was a forward by Adelaide Tambo and in the book you have a speech made by O.R.Tambo at some stage where he talks about “spurious and stooge organisations” mentioning ZANU and the PAC and some other organisations saying that even if they did not have a local constituency, imperialism would have invented them. Now that book was re-edited two or three years ago in a new edition and that sentence has been taken out of that very speech.”*<sup>163</sup>

The ANC changed its view on ZANU somewhat before 1980, although it remained suspect and at arm’s length. In any event, such utterances are unlikely to have been forgotten by ZANU leaders, possibly contributing to tensions between the two organisations at various times. Horst Kleinschmidt, former director of the International Defence and Aid Fund, explains the context:

*“Political dominance in this period was also determined by Cold War politics. ZANU was a creature of Chinese communism. On the African continent there were few places where China fared better than with ZANU. For most of the rest of Africa you were either in the colonial/post-colonial pockets or you were aligned to Soviet (Moscow) communism.*

*Mugabe was treated as the ‘junior’, the odd man out throughout Africa (save for Libya, sometimes Egypt and maybe some others). He was or is deeply vengeful that he was treated as the outsider, yet could demonstrate that he got the majority vote in the first elections. His hostility to Moscow was a strong motivation.*

*If you link this to his party, ZANU was much more defined by rural dwellers deprived of their land – displaced into Mozambique and fighting back across the border - compared to ZAPU and the ANC, which were modelled on popular support but with a clear vision for a programme for an urban working class. Mugabe’s seemingly pro-peasant Maoism could have led to the similarities with Cambodia and North Korea.”*

Moeletsi Mbeki recalls the birth of ZANU as a split from ZAPU, explaining its impact on later developments:

*“The ANC is an old party, so instinctively doesn’t like new parties. Many people don’t realise this. It’s got nothing to do with ideology; it’s just to do with the fact that you are a new party. If you’re a new party the ANC thinks you’re an upstart and therefore nothing good can come out of you. ZANU’s case was even worse because ZANU broke off from an offshoot of the ANC, the old Rhodesia ANC. It kept changing its names, but essentially ZAPU had its roots in the ANC.*

*The ANC saw ZANU as a breakaway in the same vein as PAC, so as far as they were concerned, no good would come out of that particular project. Thus they never took ZANU seriously. As a result they never really understood what ZANU was doing;*

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<sup>162</sup> Interview with Tor Sellstrom, May 20 2008

<sup>163</sup> Tor Sellstrom, 2008.

*their whole view of the armed struggle in Zimbabwe was seen through ZAPU's eyes, which in any case was based in Zambia, so the ANC had more access to them unlike Zanla which was based in Mozambique where the ANC was operating, but not on the scale of its presence in Zambia. The interaction in Zambia was much more comprehensive between Zipra and MK, (the military wings of ZAPU and the ANC) and the ANC and ZAPU leadership. There was a much more thorough relationship going on, and there was a military alliance at some stage. All those things were factors."*

Mark Gevisser's biography of Thabo Mbeki, *The Dream Deferred*, adds another dimension to the relationship. He claims that ZANU had made several approaches to the ANC, but they were rejected. This upset Mugabe particularly, given his studies at Fort Hare. One proposition for military co-operation with the MK was made in 1977; Joe Modise's response was "we can't be on both sides,"<sup>164</sup> to Mbeki's disappointment.

Regardless of ANC or PAC links, during the period of minority rule Zimbabwean nationalist politics was often characterised by violent ruptures both between and within nationalist parties. The 1963 split between ZAPU and the splinter organisation ZANU was marked by a series of violent clashes and mutual demonization, continuing even with the formation of the Patriotic Front in 1976 on the eve of the Geneva Conference in October. Within the nationalist parties themselves a number of violent power struggles occurred in both ZANU and ZAPU in the 1970s that consolidated the leadership of the 'old guard', setting the precedent for the violent marginalisation of dissenting voices within nationalist politics.<sup>165</sup> The frequent claim by President Mugabe that ZANU has degrees in violence is no idle boast.

According to one of the many ANC members who spent time in exile in Zimbabwe:

*"ZANU has always been controlled by a small, very brutal, hard core grouped around Mugabe – and the violence has often been directed at his closest allies. At the height of the liberation war he detained hundreds of his own fighters, including his top commanders, in atrocious conditions. Their mistake was to make demands like unity with ZAPU and a continuation of the armed struggle! They were accused of plotting against the leadership, but no charges were ever brought against them despite many*

<sup>164</sup> Mark Gevisser, *The Dream Deferred: Thabo Mbeki*, Johannesburg: Jonathan Ball, 2007, p. 434. Readers might wonder why, if the Patriotic Front was a merger of ZAPU and ZANU, such a request could be made. In fact the PF was a political united front, while the armies of the two parties maintained their separateness. In 1975-6 a group of young cadres in both armies tried to forge a united army called the Zimbabwe People's Army, but Mugabe disposed of them in Samora Machel's jails.

<sup>165</sup> See Timothy Scarnecchia, *The Urban Roots of Democracy and Political Violence in Zimbabwe: Harare and Highfield, 1940-1964*. Rochester: University of Rochester Press, 2008 on the sixties violence. On the seventies see David Moore, 'The ideological formation of the Zimbabwean ruling class,' *Journal of Southern African Studies*, 17, 3 (September 1991), pp. 472-95 and 'Democracy, violence and identity in the Zimbabwean war of national liberation: Reflections from the realms of dissent,' *Canadian Journal of African Studies*, 29, 3 (December 1995), pp. 375-402. Also see Fay Chung, *Re-Living the Second Chimurenga: Memories from Zimbabwe's Liberation Struggle*, Nordic Africa Institute and Weaver Press, Uppsala and Harare, 2006, reviewed by Wilfred Mhanda in the *Journal of Modern African Studies*, 54, 2 (2007), pp. 321-322. A similar fracturing occurred in Zipra in 1971, leading in part to the formation of the Front for the Liberation of Zimbabwe (or as its detractors called it, the Front for the Liaison of Zezuru Intellectuals) making the party unable to accept Frelimo's 1972 offer to move to the Mozambican front: see Owen Tshabangu, *The March 11 Movement in ZAPU: Revolution within the Revolution for Zimbabwe*, York: Paper Tiger Publications, 1979, and a review of liberation book literature by Masipula Sithole, 'Recent Works on the Zimbabwe Liberation Movement', *Zambesia*, 11, 2 (1983), pp. 149-59.

*months of torture. They were never allowed to rejoin ZANU after independence and were prevented from getting employment in the country."*

Zimbabwean writer and political activist Judith Todd, a prominent critic of both Ian Smith and Robert Mugabe, expressed similar views at the launch of her book *Through the Darkness*:

*"I have read that Archbishop Desmond Tutu laments a change in Robert Mugabe, that he wonders what happened to so dramatically change Mugabe from a hero to a villain. In a nutshell, he never changed. As far back as January 1980, before the elections leading to Zimbabwe's independence, Mugabe's clansman veteran Aaron Mutiti warned: 'What Mugabe himself has done to his fellow Zimbabweans in exile during the last three years deprives his hollow assurances of any credibility. Unless the people of this country are vigilant, they are in for a rude shock'".*

Very few people outside the external wing of ZANU (PF) had heard of the brutality with which Mugabe imposed his authority during the three years Mutiti referred to. From 1977, for example in Mozambique, Mugabe ordered the detention of all the Zimbabwe People's Army field commanders save for Solomon Mujuru.<sup>166</sup> A year later, a group within the 'enlarged' ZANU Central Committee was arrested, some confined to the apparently indescribable horrors of the pits in which people were detained.

One of the bitter ironies of that period of history is that ZANU was officially a Marxist-Leninist party, yet the left was purged. Some of those detained even taught in the party's Marxist-Leninist school. The purge of the top ZANLA fighters was also linked to developments in the liberation war as opportunities for the ZANU leadership to enter talks with the white minority regime opened up.

By the mid-1970s, as the war against the Rhodesian state intensified and the international and regional pressures on the Smith regime increased; the Vorster government in South Africa, as part of the Kissinger strategy on Rhodesia, applied pressure on the Rhodesians to seek a settlement with the nationalists. Given the leverage of the South African state on Rhodesia, this pressure was a crucial part of the road to the Lancaster House talks in 1979. In conjunction with the growing pressure from the liberation movements, international pressure from the US and UK, and the demands of African regional governments for a settlement of the "Rhodesian Question", Apartheid state pressure on the Smith regime was a key part of the matrix that brought peace to the former British colony.

As Todd continued, Mugabe's strategies followed a similar path after 1980:

*"Mugabe's strategy is clear. First he dealt with any opposition within his own party. Then, step by step, he proceeded with the stealthy hijacking of Zimbabwe. First there was the construction the first 1980 election results through his ZANLA fighters being kept out of the Assembly Points and being used in the electoral field. Then there was the use of violence in the 1985 elections culminating in the destruction of the main*

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<sup>166</sup> Survivors of the purge – who stayed in Mozambican prisons and prison camps until 1980 – recall that approximately 600 of their supporters were killed as the ZANLA command 'pacified' the camps.

*opposition party ZAPU, which was concluded by the end of 1987. For some years after that, although there was also violence used in the 1990 and 1995 elections, life seemed relatively calm as there was little viable opposition. But then came the emergence of the MDC and the rejection by black and white voters alike of a planned new constitution in 2000. Then, as we all know, came the deliberate and planned destruction of commercial agriculture, the base of our economy, and the dispersal and disenfranchisement of hundreds of thousands of people from this sector. This massive social reconstruction was then compounded by Operation Murambatsvina, the assault on the urban poor, the so-called informal sector from May 2005. The violence continues until today.”*

Amidst this, relations with South Africa began to change.

### **Post-Colonial Relations: 1980-1994**

In the post-colonial period the new Zimbabwean state played a central role in the development of the Front Line States structures, and thereby became one of the targets of the apartheid state’s destructive interventions in Southern Africa. During the same period, the relations between the ANC and the new ZANU government started off on a difficult footing. Given the historic ties between the ANC and ZAPU, it was not until the mid-eighties that the ANC could open a recognised office in Harare.

Invited by a friend and ZANU minister, Nathan Shamuyarira, to live in Zimbabwe in exile, Moeletsi Mbeki had personal experience of the reluctance of the new Zimbabwe government to allow *Umkhonto we Sizwe* (MK) soldiers passage through the country. As he recalls:

*“They were arrested by the CIO, locked up, interrogated and deprived of food, deprived of a change of clothes. I was a friend of the cabinet minister Herbert Ushewokunze, so whenever our MK guys were arrested my assignment was to go and plead with Herbert to have them released. On the whole he was supportive of our struggle. Instinctively he was pro-PAC but ZANU leadership’s love of force meant that even though they didn’t agree with the ANC, they liked its military activity - but not to come out of Zimbabwe! As far as they were concerned, they owed the ANC nothing, so they were not going to antagonise the South African government on account of the ANC. They may have done on account of the PAC, but the PAC didn’t have the kind of infrastructure of MK, so they were off the hook in that sense.”*

Relations between the ANC and the new Zimbabwe government in the 1980s were also complicated by South African government operatives’ activities in the Zimbabwean CIO, attempting to link ANC activities to ZAPU, ZANU’s rival liberation movement. The South African security agencies tried to “drive a wedge between or tried to show that the ANC was in collusion against the ZANU government.”<sup>167</sup> In this climate of distrust and obstruction, ANC cadres sometimes received rough treatment from the ZANU government.

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<sup>167</sup> Moeletsi Mbeki, Interview, July 2007.

The rivalry between ZANU and ZAPU continued in the aftermath of the post-1980 settlement, culminating in the *Gukurahundi*<sup>168</sup> violence in Matabeleland and the Midlands in the mid-1980s. The notorious Fifth Brigade, a largely Shona unit that worked closely with Central Intelligence Organisation (CIO) operatives, is widely accepted as being legitimately accused of being the major perpetrator of violence against citizens, mostly Ndebele, who were suspected of being opposed to ZANU dominance. "Five Brigade" was directly commanded by the ZANU-PF leadership. This massive deployment of state violence effectively led to the formal absorption of ZAPU into the ruling ZANU in the form of the 1987 Unity Accord and the formation of a new ZANU-PF united party. Thus died a formidable opposition party.

By 1987 the ruling party had disposed of two opposition groups. The first, in 1986, by constitutionally removing the entrenched white seats in parliament agreed to at the Lancaster House Constitution, and the second through the brutal *Gukurahundi* campaign. Through the introduction of an Executive President in 1987 with immense power, the outlook for opposition politics appeared dismal.<sup>169</sup>

Against this background the Zimbabwe government was one of the last to recognise the 1994 political settlement in South Africa. Moreover, due to the difficult relations between the ANC and the Zimbabwe government, there was very little policy discussion between the two in the period leading up to the 1994 compromise, and very little attempt to calibrate the policy priorities of the two. But in the run-up to South Africa's liberation, the quiet diplomatic work led by Thabo Mbeki to build a relationship with the Zimbabwe government eventually paid off. Tor Sellstrom recalls:

*"During the latter part of the 1980s, once the ZANU government recognised the ANC presence with an office, the Zimbabwe government facilitated many meetings between the internal opposition the UDF, the trade unions, various professional groups like teachers, lawyers, women and the ANC leadership in Lusaka. They would meet in Harare on neutral ground. Some ZANU people were very active, like the present minister Didymus Mutasa, who was running Cold Comfort farm. He was very involved in facilitating dialogue between the "inziles" and the exiles, which was extremely important for the ANC; so it's a very mixed picture actually."*

It was on this note that the two countries entered into the post-Cold War and post-1994 world: South Africa had won a struggle similar to Zimbabwe's. The global context was different, of course; the ideology and practice of the Russian-American battles were gone. Regionally, too, a new power had emerged on Zimbabwe's doorstep.

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<sup>168</sup> Shona for "the early rain which washes away the chaff before the spring rains".

<sup>169</sup> Jonathan Moyo, *Voting for Democracy: Electoral Politics in Zimbabwe*, Harare: University of Zimbabwe Publications, 1992.



## **The Post-1994 Years**

Throughout the 1990s Zimbabwe was experiencing 'structural adjustment', the economically liberal policies that most of Africa had experienced during the 1980s and that would be presented to the new South African regime as the only viable economic option. Thus the welfarist policies that, alongside *Gukurahundi*, characterised Zimbabwe through the eighties came to an end. At the same time, the war veterans' issues and the land question arose to challenge ZANU-PF's policy patterns. A senior ANC policymaker, however, characterised the crisis somewhat differently. In late 2000, calling himself "Denga", he wrote an *Umrabulo* article critical of ZANU, but offering no succour to the opposition:

*"Zimbabwe ... is experiencing a crisis of balancing between the genuine aspirations of the poor and meagre state resources. It is also a crisis reflected in the behaviour of self-satisfied sections of the middle strata who, by hook or by crook, seek to extract maximum benefit from positions in government. It is a crisis of social distance between leaders of a historically transformative movement and the forces it is meant to lead. It is also a crisis of an obsession that comes with such social distance: to persist in wasteful expenditure, such as continued commitment of a large military force in the DRC, despite the serious consequences of such action.*

*But critically it is a crisis that comes with globalisation and a unipolar world: the dominance of dictates of those who control global resources, whose starting point in relations with the African state is not the conditions of the poor, but how they can shape this state after their own economic, ideological and political image. Under these circumstances true transformers would think long and hard before making political choices that have far-reaching implications. This is the essence of the weakness of the Movement for Democratic Change (MDC). Its approach reflects an abject failure to identify the roots of the crisis and find a solution that would take Zimbabwe forward."*

Much has been made of the fact that the ANC's historical ally was ZAPU and not ZANU, in the context of the seemingly inexplicable preference in sectors of the ANC for ZANU-PF. Moeletsi Mbeki comments:

*"[T]he ANC hates new parties. In this case MDC is now the new party. Before ZANU was the new party. ZANU then clobbered ZAPU on the head and forced the merger. Now ZANU carries the mantle of ZAPU, so it acquired that legitimacy."*

It should be remembered that the South African government's contacts after the Unity Accord of 1987 were usually with senior government ministers and officials drawn from the leadership of the old ZAPU, now in the united ZANU-PF. The fact that most ZAPU rank and file members supported the new opposition MDC by the late 1990s may not have been apparent at first; and the Zimbabwe government used the ANC's historical ties to ZAPU to great advantage – for example, by posting diplomats from a ZAPU background to South Africa.

The MDC, on the other hand, had to start from scratch in South Africa, with only its trade union links. Moeletsi Mbeki describes the attitudes the MDC found itself up against:

*"Now here comes up another new party, the upstart MDC - the ANC tends to view these new parties through that prism – the breakaway party from the unified ZANU/ZAPU alliance. That's one element. But there is another side to it that needs much more investigation, which is the emergence of trade union-inspired parties in Southern Africa.*

*MDC was the second trade union-inspired party. The first one was MMD in Zambia which unseated the ANC's old buddy Kaunda, in an open, free and fair election in which Kaunda himself ran. Then the MDC, also trade union based, cropped up against Mugabe and defeated him in the constitutional referendum. In the meantime the ANC government itself was faced by a very noisy trade union opposition to Gear and to the bad HIV/AIDS policies – which is Cosatu in South Africa.*

*So these are all the dimensions: first, a new party, then a trade union-inspired party, and then the trade union opposition within South Africa itself to the ANC government. These elements make the ANC prefer ZANU to MDC."*

As for worries about foreign interference and the MDC's backing from the "imperialists", for Moeletsi Mbeki that:

*"[I] is a case of the kettle calling the teapot black. The ANC got to power because of American sanctions. That was one of the biggest things that forced the Nats to negotiate: the sanctions by the US. So you can't say support from the West (makes you an) agent of imperialism. It doesn't any more than it did in the case of the ANC, so that part I think is just an excuse. The ANC's second most important office was in London throughout our 30 years in exile. Did that make the ANC an agent of the British? I don't think so!"*

To be sure, the MDC made a series of costly mistakes in its early contacts in South Africa, which heightened the ANC's concerns about the newcomer.<sup>170</sup> But with time, and through civil society support from South Africa, a relationship was built with the ANC and South African government which had by then begun to change its perceptions of events across the border, although reservations remained about the MDC's foreign and domestic links, particularly with the (largely white) Commercial Farmers' Union (CFU).

Combined with a fear of the 'West', sentiments such as these fired up some ANC members. For example, at the end of March 2002, the late ANC NEC member Dumisani Makhaye called on the ANC to support Mugabe's "liberation struggle" against Western powers which he portrayed as being intent on re-colonising Africa. He said the ANC was "fighting the West to keep ... Morgan 'Sixpence' Tsvangirai out of the presidency":

*"The West wants to impose presidents of their choice in our region. Zimbabwe is only a strategic hill. The real objective is SA. The gross interference in the internal affairs of Zimbabwe by Western powers is a dress rehearsal for SA. Their strategy is*

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<sup>170</sup> William Gumedé's *Thabo Mbeki and the Battle for the Soul of the ANC* contends that Morgan Tsvangirai's first visit to South Africa was to be at the ANC headquarters, Luthuli House. He was not allowed in to meet anyone, however, so he chose to visit the Democratic Alliance, thus allowing the MDC to be painted with the 'white' and 'liberal' brush (Scottsville: University of KwaZulu-Natal Press, 2005), p. 179.

*to weaken governments and parties of the former liberation movements in southern Africa.*<sup>171</sup>

While most ANC officials were more circumspect about expressing their reservations publicly, these sentiments were - and remain - widespread in the party and government.

It took a number of years to build any measure of trust between the ANC and the Zimbabwean opposition camp, including the civics aligned to the MDC. A few South African and Zimbabwean NGOs played a role in organising contacts with government and ordinary ANC activists.

By that stage the political terrain was more favourable for building links with the ANC. Most white farmers had been driven out of Zimbabwe so that black-on-black oppression became more evident as the fundamental content of the conflict. Also, the MDC and civics distanced themselves from the largely white opposition party and business interests in South Africa. They asserted their identity as a workers' party that grew out of trade union, student and civic opposition to structural adjustment in the 90s.

The result of this deliberate realignment of the opposition's relations in South Africa, combined with lobbying and political mobilisation by South African civil society activists, was a more informed and balanced Zimbabwe policy on the part of the South African government, and a solidarity movement dominated by black members of the ANC, Cosatu and SACP.

According to Lucian Segami of SALO, prominent within the solidarity movement and active in the ANC Alliance,

*"There have been very important policy shifts in as far as the ANC is concerned, going back to the 2004 ANC national general council. It wasn't so much the actual resolutions that were taken, but the kind of debates. Also, at the 2007 ANC policy conference there was a groundswell expression of deep solidarity with the struggling people of Zimbabwe, of which three million are political and economic refugees here, so even the political leadership in the ruling party appeared quite frustrated at times that there was no resolution on this matter and that South Africa did not play the role that it could have played to get the protagonists to reach a settlement on the differences and ... all the rights that have to be restored to the people of Zimbabwe including workers, women, youth."*

Voices began to be heard – both loud and quiet – from within the ANC camp, including government, expressing increasing concern about human rights violations and chaos in Zimbabwe, as well as the possibility of genocide. This was matched from time to time by hostile and critical statements about South Africa from Harare, based partly on historical animosity.

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<sup>171</sup> Justin Arenstein, 'ANC Accuses West Of Undermining African Presidents,' *African Eye News Service*, April 3, 2002. The comments were made in a keynote address delivered to a closed Mpumalanga provincial party conference of 800 delegates.

Yet, as Moeletsi Mbeki noted, there remained many complications in the two countries' relationship – "especially between South Africa and ZANU". One element of that, he says, is the perception in some quarters that the Ndebele are South Africans or South African "proxies":

*"A lot of ZAPU members, especially younger ones, went to the MDC. Then the MDC got a lot of support from Cosatu and from civil society in South Africa, where there's a lot of sympathy. To the Shona nationalists, it's seen as an ethnic thing, whereas to the South African, it's supporting civil society. In the eyes of the ZANU nationalists in ZANU, this reinforces the idea that South Africa has a fifth column in Zimbabwe made up of the Ndebele and the whites. For them, the whites went from South Africa with the pioneer column. So now for ZANU we have two fifth columns in their country: one represented by the Ndebele and the other by the whites. This is an aspect of the relationship between the two countries."*

Perhaps Thabo Mbeki's discussions with MDC Secretary-General Welshman Ncube, sometimes along with ZANU-PF Attorney General Patrick Chinamasa, in 2002 and 2004, were seen by ZANU-PF ideologues as evidence of this, but many MDC insiders saw it as an effort to split their party!<sup>172</sup>

Yet despite its growing concerns about the Zimbabwe government's actions, the South African government went to Zimbabwe's aid on several occasions in recent years. Lodge notes that in February 2000, South Africa approved an R800 million loan to Zimbabwe to purchase petrol and electricity, and later approved a 25% percent reduction in electricity tariffs, despite huge debts owed by the Zimbabwe Electricity Authority to the South African electricity parastatal Eskom<sup>173</sup>. Regarding land reform, the Mbeki administration actively tried to get Western governments to back land redistribution financially in Zimbabwe.

The South African government's approach to Zimbabwe has been loudly criticised as being essentially biased towards ZANU-PF. Lodge notes that the March 2002 Zimbabwean presidential election was endorsed by a fifty-member South African government delegation of election monitors, with official missions from Nigeria and the AU in agreement. The Star newspaper described the South African team as "observing with a blind-fold".<sup>174</sup> In contrast, the Commonwealth team, led by General Abdulsalami Abubaker, recorded high levels of politically-motivated violence, while other reports noted the paucity of polling booths in urban areas, necessitating queues lasting longer than the allocated voting time, thus requiring an extension of voting days – along with the traditional panoply of gerrymandering, intimidation, and crooked counting. The fifty member South African delegation, led by Sam Motsuenyane and Dr. Eddy Maloka heading the technical team, and the African Union delegation insisted that the elections were free and fair.

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<sup>172</sup> 'MDC leaders mystified by Mbeki's comments', *Mail & Guardian*, February 8, 2006.

<sup>173</sup> Tom Lodge, 2005. See also Allison Coady and Solomon Hussein, 'Deconstructing constructive engagement: Examining Mbeki's South African foreign policy towards Zimbabwe', *World Affairs: Journal of International Issues*, 13, 1 (2009).

<sup>174</sup> Susan Booysen, 'Observing with a blindfold,' *The Star*, April 10, 2005, p. 8. See also 'SA observers split over poll report', *Sunday Times*, March 31, 2002, indicating disquiet among the observers. A later expedition led by two judges resulted in a report that was never released: 'Mbeki ignored judges on 2002 poll', *Business Day*, May 14, 2008.

Peter Vale, Nelson Mandela Chair of Politics at Rhodes University, takes more of the context into account than those who blame Mbeki alone:

*"I am not one of those who universally condemn Mbeki. I think that he has operated under enormous constraints. I am not one of those who believed that he could do to Mugabe what Vorster did to Smith: "As jy dit nie doen nie gaan ek jou water en ligte afsny" ["if you don't do this, I will cut off your lights and water"]... Vorster was acting within a Cold War context. Vorster would only do that because Kissinger told him to do it; it was the big hand of the United States behind it, which allowed it to happen within the Cold War context. This doesn't exist any more. And Mugabe has shown he can go to China. He has had a range of options. So I am not one of those who believe in die water en ligte afsny. "*

After the disputed March 2005 elections – the flaws of which were also well documented – several events occurred to re-focus attention on Zimbabwe, sparking renewed involvement from civil society and the international community. On 18 May 2005, the Zimbabwean government launched *Operation Murambatsvina*. With no prior warning, a huge number of homes were destroyed by the government. The United Nations concluded that some 700,000 people in cities across the country lost their homes or sources of livelihood, or both<sup>175</sup>.

Soon after the International Monetary Fund (IMF) threatened to expel Zimbabwe if it did not pay off a US\$300 million loan. Patrick Bond argues that South Africa was approached by the United States and asked to bail Zimbabwe out.<sup>176</sup> There was a massive outcry from civil society and the media, responding to both the humanitarian cost of *Operation Murambatsvina* and to the prospect that South Africa might unconditionally loan money to Zimbabwe. Although most of the discussion around the loan request was held behind closed doors, the South African government appeared reluctant to cover the loan unless the Zimbabwean government undertook some political reform. Zimbabwe's refusal to accept the loan, because of the political conditions attached, is said to have created an enormous rift between the two countries.

The fact that the South African government placed a premium on engagement with Zimbabwe – which made sense in the context of South Africa's overall focus on multilateralism and negotiation – was a key factor leading to the signing of the 2008 GPA. The simultaneous ousting of Mbeki ensured that the potential value of the intervention by South Africa never received much attention from its critics and its impact may not have been fully recognised. Concerns over flaws within the GPA and its perceived elitist nature have detracted from the feat of the agreement itself.

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<sup>175</sup> Anna Kajumulo Tibaijuka, UN Special Envoy on Human Settlements Issues in Zimbabwe, *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina*, New York: United Nations, 2005. See also David Moore, 'Coercion, consent, context: Operation Murambatsvina and ZANU-PF's illusory quest for hegemony', Maurice Vambe, ed., *The Hidden Dimensions of Operation Murambatsvina in Zimbabwe*, Harare & Pretoria: Weaver Press & African Institute of South Africa, 2008.

<sup>176</sup> Patrick Bond, 'Zimbabwe's hide & seek with the IMF: Imperialism, nationalism & the South African proxy', *Review of African Political Economy*, 106 (December 2005), pp. 609-19.

The South African government has consistently found it difficult to deal with the contradictions between engagement with Harare and its stated commitment to the promotion of fundamental human rights, and building an effective consensus outside the ANC and Africa over its Zimbabwe policy. Entrenched sensitivities in Africa around being 'told what to do about Zimbabwe' by the West represent another stumbling block. ANC President Jacob Zuma referred to this in a 2008 interview: "The US and Europeans tell us what to do and tell Mugabe. That undermines our efforts." Zuma added that he felt the alleged meddling by the U.S. and Europe contained "an element of racism."<sup>177</sup>

Robert Suresh Roberts explores this further in his biography of Thabo Mbeki. He asks: "Why does Zimbabwe command such attention within South African and global discourse?", and quotes Mbeki:

*"The reason Zimbabwe is such a preoccupation in the United Kingdom and the United States and Sweden and everywhere ... is because white people died, and white people were deprived of their property. ... All they say is Zimbabwe, Zimbabwe, Zimbabwe – I'm not saying the things that are going on in Zimbabwe are right [but] a million people die in Rwanda and do the white South Africans care? Not a bit. You talk to them about the disaster in Angola, to which the apartheid regime contributed, and they're not interested. Let's talk about Zimbabwe. Does anyone want to talk about the big disaster in Mozambique from which it is now recovering? No. Let's talk about Zimbabwe. You say to them, look at what is happening in the Congo. No, no, no, let's talk about Zimbabwe. Why? It's because 12 white people died!"*<sup>178</sup>

However, Mark Gevisser's exploration of these themes goes a bit further: he notes that Mbeki's "racialised reading of the Zimbabwean crisis ... sometimes seemed to prevent him from acknowledging that Mugabe had strident black critics too, not to mention millions of black victims."<sup>179</sup>

With the 'Polokwane moment' and the resultant 'two centres of power', many observers thought the Mbeki-led foreign policy would change and began to gaze into the crystal ball. In fact, the Polokwane resolutions on African international relations did not represent radical change *vis a vis* Zimbabwe and the rest of Africa. Resolution 56 said "the people of Zimbabwe in the main would find a solution to their current problems" and "the Conference expressed support for South Africa's mediation effort as mandated by the SADC region". As for SADC, the conference pushed the ANC to "play a prominent role in strengthening and consolidating the region politically" and to establish the SADC parliament. It also resolved to "pursue [and] prioritise ... party-to-party relations amongst former liberation movements like SWAPO, MPLA, FRELIMO, ZANU PF, PAIGC, CCM, SPLM/A, etc.", including their "structured support".<sup>180</sup> Nevertheless, the divisions in the party on Zimbabwe as well as

<sup>177</sup> Voice of America, 'Report from Davos,' January 20, 2008.

<sup>178</sup> Robert Suresh Roberts, *Fit to Govern: The Native Intelligence of Thabo Mbeki*, Cape Town: STE, 2007. The original is: Thabo Mbeki, 'We will resist the upside-down view of Africa', *ANC Today*, 3, 49 (12 December 2003).

<sup>179</sup> Gevisser, *Dream Deferred* ... 2007, p. 440.

<sup>180</sup> ANC 52<sup>nd</sup> National Conference 2007, Resolutions, Polokwane: ANC, December 2007.

other issues, were palpable. As Zimbabwean analyst Brian Raftopoulos commented at the time:

*"[T]he changes in the ANC do present new opportunities. If Mugabe continues to play the spoiler role, an ANC leadership could be in a good position to expose it at SADC level, and with support from the organisation, to make it clear to the Mugabe regime that unless substantial and credible progress is made in the mediation process, he cannot expect the support and solidarity of the region in the 2008 election. If Mbeki is not willing to take such a bold position at this stage, the other centre of power may be less reticent about doing so, especially if the struggle between the two power centres intensifies. Moreover, the recent explosion in Kenya around the disputed Presidential election should serve as a reminder that politics as usual under Mugabe's rules will not bring about a solution to the Zimbabwe crisis, and moreover could result in SADC losing credibility around the mediation initiative to more powerful international players, who may have felt marginalized by the process."*

A debate about Zimbabwe by key ANC intellectuals indicated post-Polokwane stresses. In April 2008, Thabo Mbeki visited Robert Mugabe in the wake of the first election he had to admit losing, but over which the counting was dragging out. Mugabe was unsure of attending a potential dressing down at the April 2008 SADC meeting, so the South African president and SADC mediator flew to Harare to discuss the issues – in the end Mugabe did not go. While there Mbeki opined publicly that there was no crisis in Zimbabwe. The ANC as a party said the situation was actually 'dire'. South African media went into spin. Esteemed academic Professor Ben Magubane and policy advisor Dr Eddy Maloka penned a 22 page essay entitled "Zimbabwe: An International Pariah: What are the Revolutionary Tasks of the South African Democratic Movement?"<sup>181</sup> to the ANC enjoining all 'revolutionary' South Africans to support their President's efforts to undermine the imperialists' plotting in their corner of the world: they impugned Jacob Zuma's visit to Gordon Brown with hints that he was being turned "into their agent" in the UK.<sup>182</sup> Their shortened epistle was published in the *City Press*.

One of the most senior ANC leaders, Pallo Jordan, then Minister of Arts and Culture Minister (Ambassador to the United Nations by September 2009), confronted this portrayal of ZANU's opponents as "puppets of the West" in the online *ANC Today*. His views suggested that the "MDC=imperialist puppet" line was losing out. To Magubane and Maloka's assertion that the imperialists were hoodwinking the Zimbabwean masses, Jordan responded:

*"Let all recall that the people of Zimbabwe endured a 15 year war of national liberation, during which the colonialist regime employed every device from beatings, to torture, to executions and massacres to repress them. They did not waver. Yet it is being suggested that today, for no apparent reason, they have fallen under the sway of the helpers and agents of that colonial power. I think that betrays a worrying*

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<sup>181</sup> Copies can be found on the 'Zimbabwe Situation' website or *Amandla*, <<<http://www.amandlapublishers.co.za>>>. A short version was published in *City Press*, May 4 2008.

<sup>182</sup> This section probably refers to Jacob Zuma's London visit to Gordon Brown at the time, were he was reportedly discussing Zimbabwe among other things..

*contempt for the ordinary Zimbabwean. A contempt reminiscent of the colonialists' contention that the people rose against them because they had been incited by "outside agitators"! By the Russians! By the Chinese! ... We will not assist ZANU-PF by encouraging that movement to proceed along the disastrous course it has embarked on ... [it] should surrender to the party that has won."*<sup>183</sup>

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<sup>183</sup> Pallo Jordan, 'Democracy is not a privilege', *ANC Today*, 8, 19, May 16- 22, 2008.



## **The Mediation Process**

Led by the South African government, the SADC-mandated mediation process began in earnest in July 2007. The growing international consensus from the USA, UK and other EU governments encouraged this process to unfold and went a long way towards overcoming the sensitivities about perceived Western interference.

Brian Raftopoulos has summarised the agenda items of the process. Under the rubric of the constitution came the process of developing a new one and the substantive proposals. Electoral laws would have to be changed, as would security legislation – including the Public Order and Security Act and the Access to Information and Protection and Privacy Act. Also on the agenda were communications issues, including broadcasting laws and external radio stations (a particular ZANU-PF concern). Under the rubric of ‘political climate’, the demilitarisation of state institutions, hostile rhetoric, the use of traditional leaders, the use of food as a political weapon, land, and sanctions were on the table.<sup>184</sup>

He noted also that “Mugabe was well aware that all those involved in the mediation process were accountable to SADC structures, and that there was always the threat that the role of ‘spoilers’ in the process would be exposed.” It appeared as though by the end of December 2007 consensus had been reached on all but the last item on the agenda. As Raftopoulos points out, these were the key issues of power sharing: the real test of ZANU’s commitment to a resolution.

However, by early 2008 it was clear that not only had there been no firm agreement on how to address the final item’s issues, but that ZANU was also renegeing on some of the earlier agreements that had been reached. Thus ZANU-PF called for a ‘harmonised election’ – for municipal councillors, parliamentary members, and the presidency – following which the constitutional discussions would continue. In the meantime ZANU-PF had deployed the military, CIO, and the Registrar General to demarcate constituencies and register voters, outside of the procedures agreed in the mediation.

Continuing repression, including the banning and suppression of popular demonstrations and opposition activities and related beatings and torture, added to the sense that nothing had changed. It was clear that Zimbabwe’s challenges would last long beyond an election-focused process. Mugabe had repeatedly failed to implement agreements reached through dialogue processes and had continued to rig elections. International consensus broke down in 2008.

The Mbeki mediation role was never without risk: both to personal credibility and to SADC’s perceived effectiveness. Yet it was also a significant opportunity to demonstrate African institutions’ utility in finding solutions to seemingly intractable conflicts, and to assert their underlying values. Instead SADC was shown to be divided and in disarray in dealing with the 2008 elections. Some actors were struggling to assert a new line – openly in support of democratization in Zimbabwe – within the regional body.

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<sup>184</sup> Paper presented to the Institute of Global Dialogue, January 2008. Interviews with MDC negotiators in the mediation.

## Results of the March and June 2008 Zimbabwe Elections – Presidential, House of Assembly & Senate

POLITICAL PARTY	PRESIDENTIAL 2008		PARLIAMENT 2008	
	FIRST ROUND (% of Votes; Number of Votes)	RUN-OFF (% of Votes; Number of Votes)	HOUSE OF ASSEMBLY (210 elected seats; % of Seats)	SENATE (60 elected seats; % of Seats)
Zimbabwe African National Union – Patriotic Front (ZANU-PF) / Robert Mugabe	43.24% (1,079,730 votes)	90.22% (2,130,269 votes)	97 (46.86%) (1,110,649 votes) +2 by-elections: 99 (47.14%)	30 (50%)
Movement for Democratic Change (MDC): a. MDC-Isvangirai / Morgan Isvangirai b. MDC (Mutambara)	47.87% (1,193,362 votes)	M Tsvangirai withdrew, recorded: 9.78% (233,000 votes)	99 (47.83%) (1,036,696 votes) +1 by-election 100 (47.62%)	24 (40%)
			10 (4.83%) (206,739 votes)	6 (10%)
Presidential Independent – Simba Makoni House of Assembly Independent – Jonathan Moyo	8.31% (207,470 votes)		1 (0.48% Moyo + Others: total 67,889 votes)	–
Others – 12 parties (1)	1. Tsvangano 0.38% (14,503 votes)			–
Total valid votes	2,497,263 (out of 3,934,768)	2,383,269 (out of 3,934,768)	2.4 m (estimated)	–
Percentage turnout	42.73%	42.37%	40.9	40.6
TOTAL	2,537,240	2,514,730	207 seats + 3 by-elections: 210 in total (pre-Sept '08)	60 elective seats out of 93 in total (pre-Sept '08)

ZANU-PF's commitment to implement what had been agreed in the talks was always weak. The resolve and capacity of both the South African government and SADC to overcome the reticence of Zimbabwe's ruling party was sorely tested. Mugabe has long been skilled in his manipulation of processes, making apparent concessions and then reneging. He was evidently quite prepared to cause personal embarrassment to President Mbeki, as well as to the South African government, SADC and the AU, and to use these institutions to further his own agenda.

The United Kingdom not only threw its weight behind the South African government's mediation role, it also supported strengthening SADC and the AU, recognising their potential in promoting good governance. The British High Commission in South Africa, the Rt Hon Paul Boateng, released a statement saying:

*"SADC and the AU now own and have established the principles of good governance in this continent and it is enough that they are adhered to. The good news is that this is now happening all over Africa. Why should it not happen in Zimbabwe too?"*

The SADC-initiated mediation must be understood as the first serious acknowledgment by a legitimate African institution that the crisis in Zimbabwe was deep enough to warrant external intervention. It has set a strong precedent. The extent to which participants to the mediation process are held accountable for their actions, and to which SADC is able to assert a democratic agenda, will ripple through the region's history. The mediation's results

will have far-reaching implications for regional security and the general credibility of African institutions – and for President Mbeki's, and now Jacob Zuma's, reputation.

Yet South Africa's handling of the period after the March 29 2008 election, so decisively won by the MDC that even nearly a month and a half of recounting by the ZEC could not alter it,<sup>185</sup> did not seem promising for this legacy. It seemed instead to deepen the controversy around the presidency's position and credentials. While the government itself appeared satisfied it had acted correctly and in the interests of a democratic process, criticism mounted.<sup>186</sup>

However, ZANU-PF rebel Jonathan Moyo thought the mediation process was more fruitful than has generally been recognised:<sup>187</sup>

*"Zimbabwe would not have had as free, as peaceful, as fair (an) election had it not been for the SADC mediation. The MDC would not have performed as well as it did in ZANU-PF strongholds as it happened in this election."*

He also argued that the mediation process had a profound effect on SADC itself:

*"If you look very closely at how this Zimbabwean crisis has unfolded over the last nine years, there is a dramatic shift of SADC, especially against the background of what we all know to be the SADC essence. It is a solidarity organization, starting with the premise that we are all the same, we share the same values, we are here to stand for one another, we are victims of a common colonial history and so forth. But we have seen SADC shifting gradually from a reflexive expression of solidarity with Zimbabwe to an inquisitive and now proactive disposition. ...*

*If we balance our observation and review of the record with what we know about Mugabe and what we have seen happening, we have to conclude that it's not fair to say that SADC has failed. In fact right now, when things seem to be getting worse, the consolation is that there is an inconclusive SADC mediation that must come in to conclude. There is a need to stop this automatic, uncritical conclusion that SADC has failed simply because SADC refuses to do its diplomacy publicly. ...*

*[T]he good work that Mbeki has done to create conditions for a free and fair election are no longer there. They have been wiped out by the developments since*

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<sup>185</sup> Many estimates had Morgan Tsvangirai winning the presidential tally with around 58% of the vote, but the Zimbabwe Elections Support Network announced an approximately 47% take a few days after the election. This became the official ZEC count after over five weeks, meaning that the presidential run-off would ensue. In the aftermath of the election and during the 'recount', many efforts were made to negotiate a reconfiguration, including ZANU-PF 'doves' visiting Tsvangirai to work a way out for Mugabe, and, according to some sources, Mbeki trying to get Mugabe to hand over to Simba Makoni, a former ZANU-PF cabinet minister who entered the presidential race in January, reportedly with much assistance from South Africa. Moffet Mofokeng, Sabelo Ndlangisa, and Japhet Ncube, 'Tsvangirai on a power mission', *City Press*, April 20, 2008; R. W. Johnson, *South Africa's Brave New World: The Beloved Country Since the End of Apartheid*, London: Allen Lane, 2009, p. 266 and interviews.

<sup>186</sup> Table from Electoral Institute of Southern Africa (Susan Booysen), *Election Observer Mission Report, the Zimbabwe Harmonised Elections of 29 March 2008 Presidential, Parliamentary and Local Government Elections, with Postscript on the Presidential Run-Off of 27 June 2008, and the Multi-Party Agreement of 15 September 2008*, Johannesburg: Eisa, 2008.

<sup>187</sup> Interview in *City Press*, April 26, 2008.

*the election. That is why increasingly there is a feeling that this standoff requires a negotiated transition to bring back those conditions that have been nullified."*

Responses to President Mbeki's much quoted April 2008 aside about 'no crisis' in Zimbabwe, while SADC's chair and Zambian president Levy Mwanawasa had called an emergency meeting over the election and the ZEC was struggling to make the ballot count match their leaders' desires, indicated some cracks in SADC. Botswana's Foreign Minister Phandu Skelemani retorted to the casual comment:

*"Everyone agreed that things are not normal, except Mbeki. Maybe Mbeki is so deeply involved that he firmly believes things are going right. But now he understands that the rest of SADC feels this is a matter of urgency and we are risking lives and limbs being lost. He got that message clearly."*<sup>188</sup>

On April 17, the MDC (Tsvangirai) announced that it had requested SADC Chair President Levy Mwanawasa to begin a new mediation effort, relieving President Mbeki of his duties in this regard. However SADC reaffirmed Mbeki as the mediator. It became apparent very soon that the mediation effort was ongoing, despite the public fallout with the MDC (which, it should be noted, has accompanied every election since the start of the Zimbabwe crisis).

Yet regional civil society did not acquiesce so quickly. Representatives from 21 countries in Africa called an emergency summit, meeting in Dar-es-Salaam on April 21. Their communiqué indicated a tough position on mediation:

*"The mediation efforts put forth by SADC and endorsed by the African Union have failed to deliver the necessary solutions and have further compromised the will of the people. The entire mediation process has lacked transparency, neutrality, openness and consultation of the majority of the people. The SADC - elected mediator has shown a clear bias to the incumbent government and he should be removed from the mediation process with immediate effect."*

Meanwhile, ZANU-PF's violence was ratcheting up in preparation for the presidential run-off – and as retribution to traditionally ZANU-PF voters perceived to have voted for their party's parliamentary candidates, but not for Mugabe as president. The May 21 Solidarity Peace Trust report noted that

*"[T]his violence was carefully planned by a combination of army, police and CIO officials at a meeting in Nkayi in mid-April. This followed the threat of violence made by both Mugabe and the security chiefs in the pre-election period, threatening retribution against the people of Zimbabwe in the event of a ZANU PF electoral loss. In the words of the brigadier at the Nkayi meeting, "if we lose through the ballot we will go back to the bush."*<sup>189</sup>

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<sup>188</sup> Mandy Rossouw and Jason Moyo, "Botswana raps 'no crisis' Mbeki." *Mail and Guardian*, April 18-24, 2008, p. 3.

<sup>189</sup> Solidarity Peace Trust, *Punishing Dissent, Silencing Citizens: The Zimbabwe Elections 2008*. Johannesburg : Solidarity Peace Trust, May 21, 2008.

The South African government's silence on the crackdown emerged as the most important reason for a breakdown in relations with the MDC (Tsvangirai). Given the increasingly unstable and politically delicate situation in Zimbabwe shortly after the election, many observers thought former President Mbeki's apparent refusal to halt the passage through South Africa of a shipment of Chinese-manufactured arms to the illegal regime in Harare fatally compromised any future role he could play as impartial mediator. Yet there seemed to be no realistic alternative.

A letter said to have been written by Morgan Tsvangirai to President Mbeki asking him to recuse himself, drew attention to all the grievances discussed above. Tsvangirai's letter also referred to what he regarded as ongoing attempts by the South African President to divide the MDC by relating to leaders other than Tsvangirai himself – previously Welshman Ncube and more recently Tendai Biti, both in their capacity as secretary-general of the party.<sup>190</sup>

Mystery surrounded the status of the letter when the Director General in the presidency, Rev Frank Chikane, pronounced it a fabrication of an unnamed intelligence agency, saying it had never been received by his office. However, the MDC confirmed they had written the letter and offered to deliver a copy.

To the 'ordinary citizen' South Africa's position on Zimbabwe undoubtedly seemed bizarre, but analysts say that it is necessary to read between the lines in order to understand it. For example, its dispatch of a team of retired South African generals (all former ANC cadres) to investigate the violence after the March 29 elections, should be viewed as a tacit acceptance that the violence was largely state-sponsored, since "generals talk to generals". In the context of South Africa's inability to stop the violence, however, this kind of sophisticated analysis had no impact on the public debate or the perceptions of the MDC and its supporters.

The Zimbabwe Electoral Commission fixed June 27 as the date for a re-run of the Presidential election. The MDC parties, reunited in purpose, stated that it would take part in this re-run under certain conditions. They were never met. Instead, there was a drastic intensification of state-sponsored violence against MDC supporters and others suspected of having voted against ZANU-PF. The Solidarity Peace Trust's May report argued that because a run-off under the conditions at that time was "neither practical nor desirable", the SADC mediator should urgently begin a new mediation process, with the objective of establishing a transitional government. The Trust sounded a serious warning:<sup>191</sup>

*"[T]here needs to be a general recognition that Zimbabwe is sinking fast into the conditions of a civil war, propelled largely by the increasing reliance on violence by the ruling party to stay in power, and the rapidly shrinking spaces for any form of peaceful political intervention."*

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<sup>190</sup> Wally Mbhele and Dominic Mahlangu, 'Tsvangirai's explosive letter to Mbeki: no-crisis' appearance with Mugabe was the last straw', *Sunday Times*, June 1, 2008. The letter is at <http://www.zwnews.com/TsvangiraiLetter.pdf>.

<sup>191</sup> Solidarity Peace Trust, *Punishing Dissent ...*, p. 8.

It recommended that:

- The ruling party structures orchestrating the violence in Zimbabwe be demobilized immediately, with SADC observers sent into the country immediately to observe and assist this process;
- MDC and ZANU-PF representatives should discuss creating a transitional government with representatives from all parties to map out conditions for political stabilisation, humanitarian assistance and interim measures to stabilise the economy;
- This transitional authority should map out a process for the creation of a new constitution, and the conditions necessary for it to come into force; and
- Both the mediator and SADC recognise that the central obstacle to a peaceful transition in Zimbabwe is Robert Mugabe and those in his security and political structures for whom a political alternative is unthinkable.

There were two further recommendations<sup>192</sup>:

*“SADC and the AU should combine a strategy of assisting and supporting such a transitional process, with a clear message to the Mugabe regime that it can expect no further diplomatic support in the event of its continued recalcitrance in the political process.*

*Peace-building measures in civil society, building on ongoing initiatives in the country, should be strengthened and supported by the presence of regional church and civic actors. Such an initiative could help to contain and roll back the zones of violence in the country.”*

A key concern regarding what Maroleng has called “the security dilemma of the elite”<sup>193</sup> remained: trial by the International Criminal Court. The detention and imminent deportation of former Vice President Jean-Pierre Bemba by Belgian authorities, executing an International Criminal Court warrant for his arrest to stand trial for war crimes, will heighten these concerns further. Maroleng opined that even though Mugabe may have gained enough assurances that he would not go on trial, his key lieutenants may not have been given enough assurances. Maroleng also suggested that the MDC may have handled this “clumsily”.

The International Crisis Group’s (ICG) May 2008 report <sup>194</sup> echoed the Solidarity Peace Trust’s recommendations and warnings, although it highlighted the importance of keeping military hardliners on board, arguing that it was highly improbable that they would allow power to be handed to the MDC, whatever the outcome of a run-off:

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<sup>192</sup> Solidarity Peace Trust, *Punishing Dissent ...*, p. 8.

<sup>193</sup> Chris Maroleng *The insecurity dilemma faced by Zimbabwe’s ruling elite*. April 25, 2008, <http://www.thoughtleader.co.za/chrismaroleng/2008/04/25/a-reflection-on-the-insecurity-dilemma-faced-by-zimbabwe%E2%80%99s-ruling-elite/>

<sup>194</sup> International Crisis Group, *Negotiating Zimbabwe’s Transition*, Africa Briefing N°51, Brussels: May 21, 2008.

*“Senior military commanders strongly opposed to the MDC have been instrumental in preventing a democratic transition following the 29 March election, and there is growing risk of a coup either before a run-off [in a pre-emptive move to deny Tsvangirai victory] or after a Tsvangirai win. Indeed, this is one reason why priority should be given to a negotiated settlement ahead of a run-off. The mediation must accordingly address the loyalty of the security services as a priority, including the handover of military power in a transitional government arrangement.”*

Similar concerns motivated Dr. Ibbo Mandaza’s proposals,<sup>195</sup> suggesting that many senior political, military and bureaucratic officials formed a dangerous stratum fearing democracy because if they lose office they had no alternatives, being “dependent on the state for the primitive accumulation associated with land reform in particular and patronage in general”. For him, this group of “ZANU-PF party zealots” is driven more by “class self-interest than commitment to an ideology”. Mandaza warned repeatedly of the real threat of civil war in Zimbabwe unless a compromise negotiated solution was found, stating this again in June 2008. Mugabe, he said, had by then lost control of the military, and had admitted as much to President Mbeki.

Speaking at the Cape Town International Book Fair in June 2008, Mandaza called for the presidential run-off to be scrapped since the purpose of any run-off should be to affirm the leading candidate, not to reverse the results of the March 29 poll through violence and intimidation. Mandaza was not lobbying for a Kenya-style government of national unity (GNU), but argued that the results of the March 29 elections should be acknowledged. Since Morgan Tsvangirai was the frontrunner he should be asked to form a GNU, while Mugabe should step down. The GNU should craft a new constitution, a revived and modified version of the 1999 document that was rejected by the Zimbabwean electorate. After a maximum of two years, Mandaza suggested, elections should be held on the basis of a new constitution.<sup>196</sup>

### **The run-off election of June 27 2008**

Five days before the election, Tsvangirai withdrew. The relentless state-sponsored violence and harassment against the MDC and people suspected of having voted against ZANU-PF in March had taken its toll. Mugabe was the sole candidate in an election widely rejected as illegitimate, but he was sworn in as President on June 29 2008.

African election observer missions condemned the election almost universally. The SADC mission concluded that it “did not represent the will of the people of Zimbabwe.” The Pan-African Parliament mission concluded that “the current atmosphere prevailing in the country did not give rise to the conduct of free, fair and credible elections.” The AU mission declared that “in the context of the AU Declaration of the Principles Governing Democratic Elections in Africa, it is [our] considered view ... that the Election process fell short of

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<sup>195</sup> Ibbo Mandaza, ‘The Zimbabwe crisis: the way forward’, *City Press*, May 25, 2008

<sup>196</sup> SAFM After Eight Debate, June 18 2008. Private discussion held with a member of the SALO Board in June 2008. Presentation at the Cape Town Book Fair, June 2008.

accepted AU standards". Nigeria, Kenya, Liberia, Tanzania, Zambia and Botswana all signalled their disapproval.<sup>197</sup>

Botswana's recently installed President, former Defence Force chief Ian Khama, reportedly threatened to take action against Harare unless SADC took a stronger stand. In early July, Botswana deployed an army brigade with artillery to patrol its border with Zimbabwe. Botswana described the troop movement as "a precaution" against trouble spilling over into their country.<sup>198</sup>

The AU summit held in Egypt at the end of June 2008 approved a resolution calling for a continuation of the SADC talks with President Mbeki as mediator, and the creation of a GNU in Zimbabwe. A number of observers claimed that this was the result of lobbying by Pretoria, although this was denied.

Civil society organisations in the SADC region expressed their condemnation of the elections and pledged to increase pressure for change.

The MDC, along with a wide range of other organisations, signalled rejection of the concept of a Kenya-style GNU rather than a transitional authority leading to the holding of genuinely free and fair elections under a new constitution. In addition, the MDC expressed concern about the AU's endorsement of Mbeki's role; by this time, the MDC was convinced that he was profoundly biased against the MDC.

The HSRC's July report, 'Saving Zimbabwe: An Agenda for Democratic Peace', further vindicated the MDC's position on Mbeki. 'Saving Zimbabwe' surmised that "South Africa's transitional formula [was] to induce a re-engineering and transformation of ZANU (PF) to put it in the hands of a moderate and avoid the 'Chiluba factor' — the decimation of a liberation party by a trade-union party like the MDC."<sup>199</sup> Thus South Africa supported Simba Makoni's candidacy, believing that he could either spearhead a reformed ZANU (PF) party incorporating certain elements of the political opposition, notably the Arthur Mutambara-led faction of the MDC, or even get enough votes in the March 29 election to be a credible prime minister after the run-off, thus removing Tsvangirai from the picture.

Responses from the international community outside Africa indicated a marked loss of patience and confidence in Pretoria's exclusive control over the mediation process. The UN, the EU, the G8, the UK, and the US all took increasingly assertive positions on Zimbabwe and Pretoria's approach to mediation, which a range of observers believed to be both ineffectual and biased in favour of Mugabe.

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<sup>197</sup> Pan African Parliament, Report of the Pan African Parliament Election Observer Mission Presidential Run-Off Election and House of Assembly By-Elections Republic of Zimbabwe, June 27, 2008, PAP/S/RPT/76/08, n.d. p. 20; African Union, Office of the Au Observer Mission to the Presidential Run-Off and House of Assembly By-Elections in Zimbabwe Preliminary Statement of the African Union Observer Mission, Preliminary Statement of the African Union Observer Mission, Harare: June 29, 2008; SADC Election Observer Mission (Seom) Preliminary Statement Presented by the Hon. José Marcos Barrica Minister of Youth and Sports of the Republic of Angola and Head of the Seom on the Zimbabwe Presidential Runoff and House of National Assembly By- Elections held on 27 June 2008, p. 6.

<sup>198</sup> <http://www.swradioafrica.com/news040708/mugswartalk040708.htm>

<sup>199</sup> Peter Kagwanja et. al., *Saving Zimbabwe: An Agenda for Democratic Peace*, Pretoria: Human Sciences Research Council, July 2008, p. 22. See also Nicole Fritz, 'Malign joke of Mbeki's edition in Zimbabwe', *Business Day*, July 22, 2008.



Although the proposed UN Security Council resolution imposing an arms embargo and tightened restrictions on key ZANU-PF officials was defeated on July 12, it was made clear that this option would be pursued again should the Harare regime remain recalcitrant. Harare and President Mbeki argued that any tightening of sanctions could spark civil war. Two days later, the ANC issued an unprecedented statement expressing unequivocal condemnation of the “violence, intimidation and political intolerance to which the Zimbabwean people have been subjected.” While the ANC did not believe that the immediate imposition of sanctions would help in finding a lasting solution, it would consider supporting incremental UN sanctions in future.

### **From Mediation to the Memorandum of Understanding**

Besides these political developments, a range of other factors also brought enormous pressure to bear on the Harare regime. Most notable of these was the escalating humanitarian and economic crises in Zimbabwe itself. In early July, the Governor of the Reserve Bank, Gideon Gono, stated bluntly:

*“I cannot imagine, let alone proffer, any way forward in terms of reviving the economy given the current situation that is not based on and informed by a political economy of national unity. As such, the only way forward for our country is for Zimbabweans to come together and to speak with one voice to foster a national consensus that puts the country’s interests first.”<sup>200</sup>*

Harare stopped distributing food aid in June. Inflation was so ferocious that a head teacher’s monthly salary could only buy a few bananas – and every kind of commodity had become almost impossible to find, even if money was available. Along with the regime’s extremely violent campaign in the run-up to the June 27 poll, these factors resulted in ever-increasing outflows of desperate Zimbabweans in search of the means to survive. Botswana and Mozambique both reported increased flows of illegal migrants, and in South Africa the UNHCR noted that there had been “disturbing developments” since the end of June in the pattern of displacement from Zimbabwe:

*“Previously, most Zimbabweans crossing the border were single men (about 90 percent) or women seeking work. We are now seeing, however, an increasing number of families arriving as a result of political violence, with several people showing signs of beatings or torture. In the town of Musina near the northern border with Zimbabwe, there is a visible presence of vulnerable Zimbabweans sleeping rough in the bush, begging at the traffic lights and clearly in distressed circumstances and desperately needing humanitarian help.”<sup>201</sup>*

Despite Pretoria’s resistance, the MDC’s increased confidence and considerable diplomatic gains, especially within SADC, strengthened its resolve to insist that there would be no substantial talks unless its preconditions to dialogue were met, which included the expansion of the mediation team to include a permanent AU envoy.

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<sup>200</sup> ‘Unite against sanctions’, *The Herald* July 11, 2008.

<sup>201</sup> Alex Bell, ‘Number of displaced Zimbabweans “extremely worrying”’, SW Radio, <http://www.swradioafrica.com/news040708/displaced040708.htm>, April 7, 2008.

On July 18 it was announced that the SADC mediation team would be assisted by a “reference group” of officials representing the AU, UN, and SADC: AU chairman Jean Ping, Haile Menkerios, a representative of the UN secretary-general, and Angolan President José Eduardo Dos Santos, chair of the SADC Organ on Politics, Defence and Security.

On July 21, Robert Mugabe, Morgan Tsvangirai and Arthur Mutambara signed a Memorandum of Understanding (MoU) intended to lay the groundwork for formal negotiations, and committed themselves to intensive dialogue for the next two weeks.

On September 15, after intensive secret negotiations, an agreement was signed laying the basis for the formation of a transitional government of national unity. Prime Minister designate Morgan Tsvangirai commented in his speech at the ceremony:

*“The agreement we are signing today creates a transitional authority that will govern Zimbabwe until a new democratic constitution can be put in place and genuinely free and fair elections can be held. We do not today set a date for those future elections. But we must not use the current crisis, desperate as it is, to delay the lasting solution to our underlying problem. This negotiated settlement can only be a temporary measure, a candle in a dark dungeon that enables our people to see the way forward to the bright sunshine of freedom and prosperity.”*

### **The Current Situation**

Many hoped that the Global Agreement of September 15 2008 had at last achieved a breakthrough leading to the formation of a transitional authority and the eventual holding of free and fair elections under a new constitution. There seemed to be expansive public commitments to its implementation, and unprecedented pressure on the Harare regime from SADC and AU structures, individual African states, and a wide range of other stakeholders indicated continental commitment.

However, this breakthrough did not change entrenched forms of power. Those benefiting from the current instability and fearing retribution for their efforts to maintain the repressive status quo delayed efforts to shift power and begin a reconstructive and developmental path in Zimbabwe as long as possible.

The public disagreements over the allocations of ministries and diplomatic postings were only the surface of much deeper efforts to resist change. Countless violations of the agreement inflicted serious damage on the credibility of the agreement framework to deliver a workable solution. The violent suppression of the opposition, including extrajudicial actions by sinister forces and military backed resource acquisition, increased. Widespread reports of cholera infections and related deaths, the ongoing shortages of food and of imminent starvation added further fuel to concerns over Zimbabwe’s future.

ZANU-PF used all means at its disposal in a long-term process of political manipulation and militarisation to dominate and eliminate all forms of opposition. Despite the agreement, culminating in the Government of National Unity in early 2009, the incumbent elite of

Generals and ZANU-PF stalwarts appeared to have no intention of relinquishing their command of the state and the protection and opportunity this affords them.

The next chapter will attempt to ascertain the evolution of South Africa's foreign policy regarding this phenomenon.

## Chapter 3: Foreign Policy Issues

James Hamill and John Hoffman see South African foreign policy *vis a vis* Zimbabwe as a paradox. It may be “trying” to encourage the liberal verities of good governance and democracy in its northern neighbour, but these have been “eclipsed by other, more pressing, imperatives impinging upon the policy making process”.<sup>202</sup> These include everything from ‘loyalty to the SADC credo’ (including supporting all the liberation parties), fear of being seen as the local hegemon, the memory of Nigeria’s abrupt dismissal when interventions were made about the Ogoni dissidents in 1995, an ‘Africanist’ response to ‘western’ criticism (although NEPAD is very ‘liberal’), a version of multilateralism rooted in an “overcompensation for the apartheid past”, and kowtowing to ‘populist’ sentiments in some sections of South Africa’s population. Mostly, though, Hamill and Hoffman believed South African foreign policy makers “assumed there must be some kind of common ground and common interests between the MDC and ZANU-PF, but this was a dogmatic perversion of the situation that actually prevailed.”<sup>203</sup> Instead, it was clear that ZANU-PF was out to destroy the MDC.

A less kind interpretation has been offered by Derek Matyszak of the Research and Advocacy Unit in Harare. He sees South African ‘quiet diplomacy’ as active support for ZANU-PF, meant to deliberately refuse to condemn human rights abuses, to block any international criticism or action against ZANU-PF, and to maintain the illusion of progress during negotiations to deflect concerted action. Matyszak contends that this support has gone beyond ‘African solidarity,’ because in 2006 South Africa stymied the AU’s Commission on Human and People’s Rights resolution on the crisis in Zimbabwe condemning human rights abuses.<sup>204</sup>

Both analyses agree, however, that former President Mbeki’s November 2008 letter to Morgan Tsvangirai (responding to a somewhat intemperate complaint from MDC Secretary-General Tendai Biti) was far from quiet.<sup>205</sup> Published widely, the letter reminded the MDC leader that Zimbabwe would “never share the same neighbourhood with the countries of Western Europe and North America, and therefore secure its success on the basis of friendship with these”; thus he had better not continue his “contempt for the decisions of its immediate African neighbours.” This is the “MDC=puppet of the imperialists” thesis’ affirmed.

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<sup>202</sup> James Hamill and John Hoffman, “‘Quiet Diplomacy’ or Appeasement? South African Policy towards Zimbabwe”, *The Round Table*, 98, 402 (June 2009), p. 1-12.

<sup>203</sup> Hamill and Hoffman, “‘Quiet ...’”, p. 6.

<sup>204</sup> Derek Matyszak, ‘Love in a Time of Cholera: Mbeki’s Relationship with Robert Mugabe (2000 - 2008)’ Harare: Research and Advocacy Unit, December 2008.

<sup>205</sup> Thabo Mbeki, “Mr Morgan Tsvangirai”, letter dated November 22, 2008, full text available at <http://www.talkzimbabwe.com/news/117/ARTICLE/3818/2008-11-28.html>. Wilson Johwa and Dumisani Muleya, ‘Zimbabwe: Mbeki letter “angers” Tsvangirai’, *Business Day*, November 26, 2008.

Perhaps analysis of the South African foreign policy relating to Zimbabwe can explain such less than diplomatic discourse coming from SADC's facilitator. Greg Mills sees South African foreign policy emerging from "a combination of its own political traditions and stress on compromise and negotiation".<sup>206</sup> Its traditions include "the history of race and colonialism ... [and] land distribution domestically." This history blends with "a belief that alternatives including criticism of President Mugabe will only marginalise the role to be played by external powers".

Zimbabwean writer and civic activist Elinor Sisulu is harsher, citing South African's lack of knowledge as a big factor:

*"[T]he level of ignorance about the rest of the continent, about Zimbabwe, about Lesotho, about Swaziland, really disturbs me about South Africa. I have seen this ignorance manifested at very high levels among people who make decisions about these countries. It's extraordinary, for example, how people in this country don't know about Gukurahundi, the campaign the Zimbabwe government carried out against civilians in Mataberland between 1983 and 1985 resulting in up to 20,000 deaths.*

Moeletsi Mbeki agrees:

*"In the 1970s the ANC never really understood what ZANU was doing. There was no real discussion going on between them until ZANU won the 1980 elections. There's a lack of knowledge about ZANU within the ANC. A lot of what our government is doing, frankly, is based on guess work, not on real knowledge of ZANU. This is why they think ZANU-PF can be talked into realising the benefits of a well functioning economy, merely because it's the government of Zimbabwe. They have no idea about ZANU's conflicts and brutality amongst its own members during the liberation struggle or the killings that went on amongst their followers. We got a glimpse with the Zambians' report on the Chitepo assassination, but before and after I doubt the ANC had an idea of what was going on. The ANC operates with a totally non-realistic understanding of what ZANU is about."*

However, Welshman Ncube (in 2003, while MDC Secretary-General) thought the upper echelons of the ANC and government knew ZANU-PF well:

*"You might call it quiet diplomacy...Its philosophy, as we understand it from its architects, is this: Mugabe is a terrible, terrible dictator, he is evil. We agree with*

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<sup>206</sup> Greg Mills, "Agitator, Facilitator or Benefactor? Assessing South Africa's Zimbabwe Policy", Testimony before the House Committee on International Relations, Sub-Committee on Africa, Global Human Rights, and International Operations, Washington DC: House of Congress, April 12, 2005. [http://www.house.gov/international\\_relations/109/mil042105.pdf](http://www.house.gov/international_relations/109/mil042105.pdf).

*you. He has the potential even to outdo Idi Amin, particularly if he feels cornered. We know him very well. One of the SADC heads of state who shall remain nameless put it this way:*

*'Trying to deal with Mugabe in the way the EU and America are doing is like putting your dog in a room and closing all the doors and then telling it to get out. The result is that it might bite you. What is the best way? No, not to open the gate – feed it! You feed it until it is so happy, it is so satisfied that it believes that it is a dog among dogs, and then on its own volition, happy and satisfied, it will walk out.'*

*That is quiet diplomacy as we understand it. It will not work, we have absolutely no doubt about it. But, the beauty of quiet diplomacy is that it can't fail in the minds of its architects, and the reason is simple. If it does not deliver, it is the fault of the megaphone diplomacy of others. If somehow there is a settlement in Zimbabwe and that settlement is because of the pressure created by others, quiet diplomacy will claim victory. Unfortunately that is where we are."*

### **Foreign Policy on the African Continent**

The South African foreign policy machine is popularly seen as controlled by the President. To be sure, foreign policy in all states is concentrated around the top, and for South Africa recently this tendency may have been exaggerated. But there are also a number of principles guiding South African foreign policy. They have evolved from the ANC's and the anti-apartheid movement's long history, rooted in the ANC Freedom Charter's statement that 'South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation – not war'.<sup>207</sup> According to the Department of Foreign Affairs (DFA), this ideal is expressed in a foreign policy promoting 'multilateralism in order to secure a rule-based international system', including the government's commitment to strengthening the function of multilateral regional organisations such as the African Union (AU) and the Southern African Development Community (SADC).<sup>208</sup>

South Africa's foreign policy is also committed to an 'African Renaissance'. This entails harnessing the positive influence of African cultures and traditions to create a peaceful, economically strong, and politically free continent. The major role that South Africa has taken in developing the AU continentally, in driving the strengthening of SADC and in initiating and leading the New Partnership for Africa's Development (NEPAD) forms the basis of its commitments to these aspirations and principles. These broader policy objectives may have distracted the Presidency from the deteriorating situation in Zimbabwe. As Richard Calland has put it<sup>209</sup>:

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<sup>207</sup> African National Congress, *The Freedom Charter*, Kliptown: Congress of the People, 1955.

<sup>208</sup> Department of Foreign Affairs, *Strategic Plan 2005- 2008*, Pretoria: DFA, 2005.

<sup>209</sup> Richard Calland, *Anatomy of Power: Who Holds the Power?* Cape Town: Zebra Press, 2006.

*“There was the initial phase of so-called quiet diplomacy where Mbeki or Pretoria was trying to apply a certain degree of pressure on Zimbabwe but any efforts were dwarfed by a bigger project on the table at that time, ... the project around the creation of the new African Union, and secondly attendant to that the creation of the African Peer Review Mechanism process and NEPAD. So there were big things happening on the continent at that time, and South Africa was playing a leading role in developing those projects, conceptualising them, giving them a vision, and then pushing through the politics. Mbeki himself had a very hands-on approach to that, it was something he associated himself closely with, and therefore he wanted to do the utmost to see that the vision was turned into reality.”*

Many other African leaders have been criticised for evading the Zimbabwe issue. ZANU-PF shares its disrespect for human rights and democracy with numerous governments. Combined with a long tradition of respecting the sovereignty of the internal affairs of other countries, this is often assumed to have been the basis for South Africa’s reluctance to take a decisive stand on Zimbabwe. However, this may have changed to some extent in the period leading up to the June 27th Presidential run-off election.

Within this context it is useful to examine where the AU has spoken out against repression in Zimbabwe before the spate of criticism during the 2008 elections. The African Commission on Human and People’s Rights (ACHPR) and the Pan African Parliament (PAP) have reacted critically to ZANU-PF’s abuses of power.<sup>210</sup> At a continental level, in January 2007 the African Union Summit of Heads of Government in Addis Ababa, Ethiopia, adopted the decision of the ACHPR in Communication 245/02 (Zimbabwe Human Rights NGO Forum vs. the Government of Zimbabwe.) The ACHPR found that the Zimbabwean Government was in violation of articles 1 and 7 of the African Charter, and thus the Government of Zimbabwe had violated the right to protection of the law and that it failed to put in place measures to ensure the enjoyment of these rights by Zimbabweans.<sup>211</sup> But Zimbabwe managed to ignore this.

The need for Africa to act took on an added urgency after the 11 March 2007 public beating, arrest and torture of opposition and civic leaders and the attacks on the MDC structures that followed thereafter. A combination of internal resistance by pro-democracy groups in Zimbabwe, the media exposure of police brutality against Morgan Tsvangirai and other leading figures, international pressure, and concerned voices in SADC led to the Extra-Ordinary SADC Heads of State summit in Tanzania at the end of March 2007. The South African Government was officially appointed as mediator in the Zimbabwe crisis there and

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<sup>210</sup> For example, to the UN report on *Operation Murambatsvina*: Anna Kajumulo Tibaijuka, UN Special Envoy on Human Settlements Issues in Zimbabwe, *Report of the fact-finding mission to Zimbabwe to assess the scope and impact of Operation Murambatsvina*, New York: United Nations, 2005.

<sup>211</sup> Statement by the Zimbabwean Human Rights NGO Forum on the African Commission’s Decision in Communication 245/02 (Zimbabwe Human Rights NGO Forum vs. the Government of Zimbabwe.) June 10, 2007.

then. It was a significant development and could be seen as an extension of the 'quiet diplomacy', the hallmark of the South African and SADC approach to the Zimbabwe crisis.<sup>212</sup>

It is important to South Africa that a crisis such as Zimbabwe's is addressed within the framework of the APRM and existing protocols, norms and guidelines. The credibility of the AU and its peer review processes is at stake over Zimbabwe. The role of South Africa and the policy decisions it makes are thus of international significance.

### **Foreign Policy Trends in relation to Zimbabwe**

According to Tim Hughes, South Africa's stance on Zimbabwe is "hard to categorise ... as policy."<sup>213</sup> Policy, he writes, "suggests a set of coherent and consistent objectives underpinned by stated interests and principles". In contrast, South Africa's policy concerning Zimbabwe "has been reactive, sometimes inconsistent and contradictory of core interests and principles." Furthermore, rather than being formulated in a coherent, bureaucratically rational manner, South Africa's position on Zimbabwe, largely articulated by President Mbeki, was characterised by a "plethora of bilateral and multilateral shuttle engagements that have been labelled 'quiet diplomacy'".

Chris Landsberg disagreed, arguing that the ANC's foreign policy was "based on a pro-African, South-South orientation, seeking a 'strategic partnership' with the industrialised North with the goal of consolidating an African and South-South agenda." This, said Landsberg, resulted in "an engagist, internationalist foreign policy strategy – not an isolationist or confrontational one".<sup>214</sup> This formed the basis of foreign policy relating to Zimbabwe.

Nevertheless, many observers contend that South Africa's Zimbabwe policy can only be characterized as schizophrenic and self-destructive. It was torn between a need for solidarity ("tomorrow we might be targeted by the West"), a genuine concern about the unfolding crisis in Zimbabwe, and an appreciation of the value of democracy.

Civil society had some influence, too, although in their engagement with the South African government over Zimbabwe, the South Africa friends of the Zimbabwean democratic movement found it difficult to navigate this complicated terrain.<sup>215</sup>

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<sup>212</sup> Solidarity Peace Trust, *Destructive Engagement: Violence, mediation and politics in Zimbabwe*, Johannesburg: Solidarity Peace Trust (July 10, 2007).

<sup>213</sup> Tim Hughes, *Composers, conductors and players: Harmony and discord in South African foreign policy making*. Johannesburg: Konrad Adenauer Foundation, 2004.

<sup>214</sup> Chris Landsberg, SALO Conference, Pretoria, June 2007.

<sup>215</sup> Ephrem Tadesse et. al, *The People Shall Govern: A research report on public participation in policy processes*, Johannesburg: Centre for the Study of Violence and Reconciliation, Action for Conflict Transformation, February 2006.



There seemed, however, to be some trends emerging, with changes marking a periodisation process. Rupiya,<sup>216</sup> for example, argues that South Africa followed “a period of brinkmanship and frustration, spanning the years 1994–99”. From early 2000, however,

*“[I]n response to the twin pressures of the international community’s demand that South Africa adopt a hardline policy towards Zimbabwe and the alarming deterioration in the socio-economic, political and security situation in Zimbabwe (which has increased the latter’s dependence on South Africa), a twin-track policy of constructive engagement and containment was adopted.”*

Jeremy Cronin<sup>217</sup> identified three phases in South Africa’s strategic approach to the Zimbabwe issue. In the first phase the MDC was viewed as

*“[B]oth a symptom of weaknesses and errors committed by ZANU-PF, and as a challenge that could (and should) be warded off. Pretoria encouraged a combination of sustainable and stabilizing macro-economic policies, pushed by the ‘reformers’ in ZANU-PF combined with a modernized electoral strategy that would avoid violent tactics. This, it was hoped, would avoid the danger of ‘regime change’ via the ballot box. This strategy soon confronted the resistance of key ZANU-PF factions to any reform strategy, as well as ZANU’s preference for violent, patronage-based mobilisation geared towards maintaining the ethnic balance in ZANU-PF. It also failed to account for the opportunities for rapid accumulation that the economic crisis presented for the ruling party leadership.*

*In the second phase in the run up to the 2002 election, after the surprising successes of the MDC in the 2000 general election, the support of the MDC could not so easily be dismissed. However the Mbeki government had three concerns around the MDC. Firstly there was the fear that the Zimbabwean army would not accept an elected MDC government. Secondly the South African government was concerned that the MDC would not have the capacity to run a state, and that this weakness would very quickly lead to a weak, unstable state on its border. Thirdly, it was felt that the MDC was ‘too close’ to the West and its ‘regime change’ strategy, which increased anxieties about its future role in the region.”*

Given this assessment Cronin described the hopes of the South African government:

*“Regime change is one thing, the practical consequences in the immediate aftermath (as the present reality in Iraq reminds us) is quite another. For these reasons our government hoped that, as a best-case scenario, ZANU-PF would win a free and fair*

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<sup>216</sup> Martin Rupiya, ‘Zimbabwe in South Africa’s Foreign Policy: A Zimbabwean View’, *South African Yearbook of International Affairs*, Johannesburg: South African Institute of International Affairs, 2002-2003.

<sup>217</sup> Jeremy Cronin, SALO Interview, March 2004. Cronin expressed similar views in his ‘Zimbabwe must be helped to break impasse’, *Sunday Independent*, February 22, 2007.

*election. If, however, elections were less than free and fair, but the ZANU-PF candidate was still declared the winner, the fall-back scenario would be a pragmatic recognition of a Mugabe 'victory', but in return for this recognition, ZANU-PF would be expected to move immediately to establishing a GNU with the opposition.”<sup>218</sup>*

The heavily contested nature of the 2002 election and the further polarization of both Zimbabwean politics and the Western-African divide on the Zimbabwe crisis scuttled this hope of a compromise solution at that time.

Cronin identified his third phase with the aftermath of another highly contested general election in 2005, the rapid decline of the Zimbabwean economy, continued polarization of the Zimbabwean polity, the positions of Africa and the West, and the Mugabe regime's increased recalcitrance. The South African government continued its emphasis on the need for a national dialogue between the two major political parties, hopefully leading to a free and fair election. This in turn was to be combined with the removal of targeted international sanctions against Zimbabwe. The South African government hoped that the heightened succession battle in ZANU-PF would lead to a Mugabe exit and reformed ZANU-PF agenda. The South Africans emphasised the need for a state with military support.

Rupiya was critical of these approaches, saying they were simply “situational strategies”, only “reacting to current events”. He recommended “a long-term, mutually agreed policy or raft of policies, which recognise and respond to the subjective and objective realities in which the interests of the two countries intersect.”<sup>219</sup>

There is a theory in international relations that says countries are structured into foreign policy roles because of their status in the global political economy. South Africa is often referred to as a middle power, a status shared with countries such as Canada and Sweden in the North, and Brazil and India in the South. Its foreign policy can be understood through this perspective. Usually, multilateralism and networking constitute the fundamental strategies of middle-power countries used in order to promote common foreign policy issues, which they believe they can not advance on their own. Seen from this perspective, South Africa is attempting to move from a past that was defined by hard power, to a future that embraces soft power, where it helps to build common norms and values in Africa (and

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<sup>218</sup> A similar view is expressed by Chris Landsberg: “Quiet diplomacy was essentially a trade-off strategy. In exchange for offering to help rebuild Zimbabwe's economy, address the land crisis, assisting with an acceptable exit strategy for Mugabe, Pretoria expected the ZANU-PF government to commit itself to free and fair elections, negotiations with the MDC, and mapping out a political transition process that would end the stand-off.” *The Quiet Diplomacy of Liberation: International Politics and South Africa's Transition*, Johannesburg: Jacana Media, 2004, p. 173. Of course, when ZANU-PF did not co-operate the stand-off stood even stiller.

<sup>219</sup> Martin Rupiya, ‘Zimbabwe in South Africa's Foreign Policy ...’, 2003.

the world at large).<sup>220</sup> It does not want to be seen as a giant imposing itself, but rather aims to encourage collective leadership and action.

As an extension of this multilateral approach the SADC-mandated mediation role was initially seen as an important diplomatic victory for South Africa. Yet, many observers remain critical of South Africa's ability to play the role of an impartial mediator. These criticisms are informed by, for example, allegations of Pretoria's behind-the-scenes pressure on election observer teams to legitimise fraudulent elections, and perceived overt and uncritical support for President Mugabe by the ANC on several occasions. This has the effect of protecting ZANU-PF in international fora and adds to a perception that the South African Government is dismissive of the human suffering in Zimbabwe. This perception is strengthened by a seeming reluctance to grant asylum to people who have suffered political persecution at the hands of ZANU-PF, although moves towards the provision of temporary residence permits to Zimbabweans are seen as positive.

It thus becomes necessary for South Africa to demonstrate to its critics that the overall thrust of foreign policy is neither 'situational strategies' nor contradicted by its approach to Zimbabwe. Hughes sums this up well:

*"[This particular government has done (so much) work to advance the agenda of Africa. [...] It's been so constructive with respect to the DRC, with Rwanda, with Burundi, Cote d'Ivoire for example. It has been absolutely exemplary, and yet it may well still be measured historically in terms of its failure to offer credible leadership on Zimbabwe."*

### **Zimbabwe: a Foreign Policy Challenge**

Zimbabwe constitutes a significant foreign policy problem. A neighbour with unsustainable internal policies and deepening economic, social and political crises can create serious problems domestically; this is the essence of the 'realist' school of international relations, which dismisses 'idealist' concerns about human rights as misty-eyed and sentimental. However, as Hamill and Hoffman note, if an earlier 'idealist' intervention had been carried out, there might not have been the three million Zimbabweans, as well as cholera, crossing the border.<sup>221</sup> The mass migrations and dire economic consequences created by the internal crisis, the negative perceptions of Southern Africa that have emerged, and the threats Zimbabwe poses to agreed plans outlined by SADC and the African Union, are affecting far more than just Zimbabwe itself. The decisions that have been made are fraught with

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<sup>220</sup> Jackie Cilliers, 'An Emerging South African Foreign Policy Identity', *Occasional Paper No 39*, Pretoria: Institute for Security Studies, 1999.

<sup>221</sup> Hamill and Hoffman, 'Quiet ...', p. 4.

uncertainty and can never be divided clearly into 'self-interest' and humanitarian goodwill. The consequences, however, are always quite concrete.

## **Economic Issues**

### ***Land: South Africa and the Zimbabwe conflict***

One of the main reasons the GNU was forced on President Mugabe and the then outsider, Morgan Tsvangirai in early 2009 was because the Zimbabwean dollar had lost all its worth. Gideon Gono's reserve bank could only chop off so many zeros at a stroke: by the last chop, it took only weeks for inflation in the billions to add those naughts back on. The Zimbabwean economy had literally collapsed. The most obvious manifestation of this was the cholera epidemic, which was threatening South Africa in the most tangible way.<sup>222</sup> The most 'self-interested' neighbour had to apply pressure: pressure which had been building with the long-burning economic crisis and the results of the 2008 election, mediation and negotiation in any case, but carried an added emphasis to the insistence that none of the Zimbabwean parties reneged on their agreement to constitutional amendment 19: on the MOU to the GPA and then the GNU.

As Brian Raftopoulos outlined at the beginning of 2008<sup>223</sup>, hyperinflation<sup>224</sup>, chronic foreign currency shortages, sporadic availability of fuel, crippling power shortages, skills shortages, mass unemployment, and the collapse of real earnings of workers, only started the list.

*By 2006 the GDP per capita was 47% below the level in 1980 and 51% below the peak value in 1991.<sup>225</sup> One drastic consequence of this has been a huge reduction in most people's access to food and other necessities. Income levels of workers in the formal sector have also declined drastically: At the end of 2006 the average minimum wage for agriculture and domestic labour, of Z\$2,800 was only 3% of the Food Poverty Line (calculated at Z\$94,125 in December 2006), while the average minimum wage for workers of Z\$57,000 at the end of 2006, was 16% of the Poverty Datum line.*

*The share of wages and salaries in the gross domestic income declined from an average of 49% during the pre-ESAP 1985-90 period, to 41.5% during the ESAP years 1991-96, dropping drastically to 29% in the period 1997-2003.<sup>226</sup> Moreover this decline has occurred within a formal sector that has shrunk from 1.4 million workers in 1998 to 998,000 by 2004.<sup>227</sup>*

*The status of workers and even more so, other poorer groups in the informal sector have been further undermined by the country's hyperinflation. As Robinson observes, hyperinflation is notorious for concentrating incomes in the hands of the*

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<sup>222</sup> Physicians for Human Rights, *Health in Ruins: A Man-Made Disaster in Zimbabwe*, Cambridge, MA: Physicians for Human Rights, 2009.

<sup>223</sup> Brian Raftopoulos, Paper presented to the Institute of Global Dialogue, January 2008

<sup>224</sup> 'Zimbabwe currency plunges to new low,' *Business Day*, December 5, 2007.

<sup>225</sup> Peter Robinson, "Macro-Economic Paper produced for the Zimbabwe Institute," Cape Town: Zimbabwe Institute, 2007, p. 4.

<sup>226</sup> Godfrey Kanyenze, 'The Labour Market, Sustainable Growth and Transformation in Zimbabwe', unpublished mimeo, ZCTU, 2007, pp. 31-2.

<sup>227</sup> Kanyenze, "The Labour Market ..." p. 35.

*rich, while further impoverishing the poor. Moreover this process has been exacerbated by high levels of political patronage in the ruling party creating an economy based on 'rent-seeking' and speculative behaviour.<sup>228</sup>*

*Distortions created by developments such as price controls and foreign exchange controls create rents. This in turn creates an incentive for people to devote resources to capturing such rents, rather than investing them into more productive activities. Evidence of this rent-seeking behaviour abounds in the Zimbabwean economy in areas such as the fuel and fertiliser sectors where the new farmers who have benefited from the land occupations are receiving subsidised inputs from the state and selling it on rather than using it for productive activities."*

It is important to examine some of the underlying features of the Zimbabwean economy, including some of the economic management issues that emerged during the worst of the crisis. These included:

- Manufacturing and other production reduced so drastically that basic industry needs could not be met without buying supplies and equipment from abroad;
- A significant reduction in employment - well below a million people in employment, or engaged in formal income generation, with real wages fallen quite dramatically for those still in work;
- Public expenditure heavily skewed in favour of consumption – addressing one crisis after another, funding deficits, subsidies, etcetera;
- The collapse, and later the disappearance, of the Zimbabwe Dollar (a critical problem was the regime's reliance on printing money or allowing money growth);
- A complete lack of consistency in economic management;
- Widespread and institutionalised corruption; and
- Up to 3 million people working abroad, including a very large proportion in South Africa.

Wealth creation (GDP) diminished as did the conditions for growth. Thus the amount available for public spending was reduced. At the same time expenditure increased and there were increasing demands. The government response was a series of crisis measures, including printing money, borrowing, and juggling debts. This was a vicious downward cycle from which there was no logical escape, other than a political settlement to address these economic realities.

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<sup>228</sup> Robinson, *Macro-Economic ...*, p. 15.

The contradictions in Reserve Bank governor Gideon Gono's discourse illustrate the conundrums in Zimbabwe's economy. He consistently advised limiting the money supply, prioritising inward investment, improving parastatals' management and eradicating corruption: he addressed many of the underlying causes of the economic problems in his writing.<sup>229</sup> On the other hand he consistently printed money to fund public spending for which no income was raised and so objectively contributed to the economic crisis. He also expanded the role of the bank into 'agricultural mechanisation,' and the distribution of cars to parliamentarians and many other goods to the military; clearly the control of money supply was an avenue to power. His has been the most difficult of the posts for the GNU to deal with in 2009.

Yet many analysts ignore such macro-economics to centre their focus on the 'economy' as the issue of land distribution. As the 2000 ZANU-PF campaign slogan and the 'fast track land reform' clarified, in Zimbabwe 'the land is the economy and the economy is the land.'<sup>230</sup> It remains a defining issue of the relationship between Zimbabwe, the UK and South Africa, and of the relationship between the West and Africa. South Africa's perceived failure to speak out against the violent land invasions of 2000 lingers as a cause of much tension within this relationship. So too is the constant reminder to the UK that SADC still regards colonial debts to Zimbabwe over land as unfulfilled. Standing ovations for President Mugabe by large numbers of the ANC elite at South African gatherings, and occasional ANC statements of support for ZANU-PF added to these tensions with the UK and other Western countries.

It is worth recalling what President Mbeki said on the divisive issue of land in his State of the Nation address of 2000, at the height of the most violent land invasions. He and other government spokespeople repeatedly criticised the invasions, but saw the uneven distribution of land between white and black Zimbabweans as the genesis of the conflict. Without indicating knowledge of the 'war vets' visit to Mugabe in September 1997, when they forced or persuaded the faltering president to offer them twenty per cent of the 1,471 commercial farms that he promised to take over (in addition to their Z\$50,000 payout and Z\$2,000 per month), Mbeki outlined how in 1998 he had approached the then British Prime Minister, Tony Blair, with a proposal to rectify Zimbabwe's land issue. The result was the Donors' Conference of 1998. For reasons that are as yet unclear – perhaps Zimbabwe's coming to the aid of Laurent-Désiré Kabila in the Democratic Republic of the Congo angered the donors, perhaps taking a too state-centric approach to land reform after the conference delineated a civil society line similarly disabused those with the purse-strings, perhaps the British were not happy with the Zimbabwean élite land grab, or perhaps the GOZ never

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<sup>229</sup> Baffour Ankomah, 'Gideon Gono: 'Zimbabwe Will Not Die'' *New African*, August-September, 2007; Gideon Gono, *Zimbabwe's Casino Economy: Extra-ordinary Measures for Extra-ordinary Challenges*, Harare: Zimbabwe Publishing House, 2008.

<sup>230</sup> David Moore, 'Is the Land the Economy and the Economy the Land? Primitive Accumulation in Zimbabwe,' *Journal of Contemporary African Studies*, 19, 2 (July 2001), pp. 253-66.

responded to the final papers – the decisions of the conference were never implemented. Mbeki's take on the conference failure was simple:

*"For various reasons things did not proceed as had been agreed. Consequently, the land question, a direct product of the colonisation of Zimbabwe, essentially and substantially, remained still to be addressed. The results of the failure to deal with this matter in the manner agreed in 1998 is [sic] what has led to the events which, as we have said, have dominated our media in the recent period."*<sup>231</sup>

Mbeki then outlined his efforts to bring the UK and Zimbabwe back to the table:

*"to get a common commitment to solve the Zimbabwe land question, according to the framework and programme agreed at the 1998 Conference and thus, simultaneously, to speak to such questions as the rule of law; to end the violence that has attended the effort to find this solution; to create the conditions for the withdrawal from the farms they have occupied of the demonstrating war veterans; and, to pursue these issues in a manner that would be beneficial for all the people of Zimbabwe and the rest of Southern Africa. ... President Mugabe fully supported these objectives."*

Mbeki then announced that at a meeting during the previous week the British and the Zimbabweans had agreed on "the importance and urgency of land reform in Zimbabwe", that they would recommit "to the implementation of the communiqué" settled at the 1998 Donors Conference, and that the "UK reiterated its willingness to help fund a fair land reform programme, while stressing, in this context, the need to end violence and the occupation of the farms". He added that the Zimbabwean government had agreed to hold free and fair elections as soon as the delimitation commission had done its work, and he thanked the South African Agricultural Union for its help. It is clear from this speech that Thabo Mbeki worked assiduously to solve this problem: the only problem was that the British did not think Mugabe's elections were free and fair, while ZANU-PF and important sections of the ANC did.

At that stage race seemed to determine attitudes to the Zimbabwe conflict. Mbeki's government was greatly influenced in its early statements on the Zimbabwe crisis by these perceptions, and by the views of ordinary black South Africans. As COSATU General Secretary, Zwelinzima Vavi, told the Third Zimbabwe Solidarity Conference in Pretoria in 2005:

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<sup>231</sup> President Mbeki, State of the Nation Address, 4 May 2000, <http://www.thepresidency.gov.za/president/sp/2000/tm0504.html>



*“ZANU-PF and President Mugabe are absolute heroes in the minds of ordinary South Africans, absolute heroes – in any South African township, in any black residential area, you can think about any song [and it’s] in praise of President Mugabe, of ZANU-PF, and the liberation movements of the entire region.”*

As Ambassador Welile Nhlapo put it, many Africans believe that Zimbabwe was betrayed by the British, who did not honour the spirit and the letter of the Lancaster House agreement, particularly when the Labour Party Government took over. Historian Prof. Ben Magubane, took a different, more sceptical view than most South African and SADC leaders and citizens on the place of the land question in the current conflict in Zimbabwe in an interview with SALO:<sup>232</sup>

*“Mugabe was at the centre of the world stage in so far as the politics of southern Africa were concerned. In the meantime no-one expected that the freeing of Nelson Mandela would happen so soon. The big frog, Mugabe, found his pond becoming small. He had no room to manoeuvre. He had to play a political card, and that brought in the issue of the land. For Zimbabwe, what was the meaning of independence without land? The pressure from the so-called war veterans handed Mugabe the trophy he wanted. He then demanded that the British should honour their commitment to fund the buying of the white settler farms.”*

It should be noted that the British did actually contribute over 44 million pounds to the 1980s phase of land resettlement,<sup>233</sup> as the British High Commissioner to South Africa, Rt Hon Paul Boateng made clear in 2008.

*“Britain has not, and will not, renege on its responsibilities under Lancaster House. We will make available funds to support pro-poor agrarian reform in Zimbabwe, together, I have no doubt, with other members of the international community. ... [I]t is a fact that Britain has been a consistent and strong advocate of land reform. Since 1980 we have provided £44 million for land reform as well as £500 million for development in Zimbabwe, more than any other donor, but that is the past. ... We will support land reform that really addresses the needs of the poor and landless in Zimbabwe and that is carried out subject to transparency, accountability, the rule of law, those very SADC principles which, it seems to me, need now to be applied in Zimbabwe.”<sup>234</sup>*

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<sup>232</sup> SALO interview, 2007. Professor Magubane’s co-authored paper with Eddy Maloka, referred to in the previous chapter, suggests a change of view.

<sup>233</sup> See Lionel Cliffe, ‘The Politics of Land Reform in Zimbabwe’, Tanya Bowyer-Bower and Colin Stoneman, eds. *Land Reform in Zimbabwe: Constraints and Prospects*, Aldershot: Ashgate, 2000. For an insider’s view of the British policy, see in the same book, John Cusworth, ‘A review of the UK ODA evaluation of the land resettlement programme in 1998 and the land appraisal mission of 1996’.

<sup>234</sup> Rt Hon Paul Boateng, SALO meeting in February 2008

It is those riders, of course, with which the Government of Zimbabwe begs to differ: the 'rule of law' means something different to those holding ideologies apart from those held in a liberal world view. The question for South Africans is, though: to what ideologies do their rulers adhere? And how far do they want to spread it?

### ***Economic relations between South Africa and Zimbabwe***

Not a few analysts, actors and scholars see post-apartheid South Africa as a neo-colonial, or 'sub-imperialist' power in the region.<sup>235</sup> Traditionally the pattern of trade between colonised and coloniser has been the export of minerals and other raw materials and the import of manufactured goods. Investment has been in the form of land ownership and mineral extraction processes. In practice the flows of investment tend to remain very similar to those of the colonial period, with investment in the colonised country being driven by the need for raw materials and the need to find additional markets for manufactured goods. For example many UK companies retain their traditional investments in Zimbabwe and they also buy up additional shares in companies where benefits can be forecast.

South African companies have increasingly developed a trade and investment relationship with other SADC countries that is strikingly similar to the relationship that the UK has traditionally had with Africa<sup>236</sup>. The mining houses have invested in SADC countries for many decades, with Anglo being one of the largest investors in Zimbabwe. In recent years other companies engaged in pulp and paper, basic chemicals, and the finance sector have invested heavily in the region, and most recently there have been similar developments in breweries, retail chains, and leisure facilities.

These developments have been driven by three imperatives: the desire to re-integrate with the global economy after a lengthy period of isolation; the wish to exploit South African competitiveness in mining and extraction; and the need to improve market opportunities for South African firms by establishing relationships with downstream customers in the region. These are medium to long-term business strategies and business has been willing to navigate a course that takes account of the crisis measures that have been experienced in Zimbabwe. The thinking is that the long-term benefits will be worth the risks incurred in waiting out the end of the Mugabe era.

The top South African companies in Zimbabwe for decades generally remained.<sup>237</sup> It was extremely difficult to do business in Zimbabwe until dollarisation: the formal market was shrinking quickly; paying wages in a hyper-inflationary environment was difficult, as was

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<sup>235</sup> Symptomatic of this view is Patrick Bond, (2008), 'Global uneven development, primitive accumulation and political-economic conflict in Africa: the return of the theory of imperialism,' *Journal of Peacebuilding and Development*, 4, 1 (2008), pp. 23-37.

<sup>236</sup> Han Nordas, 'South Africa: A developing country and net outward investor', *Working Paper No 20*, Bergen: Foundation for Research in Economics and Business Administration, 2001.

<sup>237</sup> Diana Games, *A Nation in turmoil: the experience of South African Firms Doing Business in Zimbabwe*, Johannesburg: South African Institute of International Affairs, 2007.

dealing with foreign currency and coping with changes in legislation. There was no trade agreement signed between the two countries (and still is not), adding to the uncertainty. With dollarisation and randisation, employers have to find externally generated currency to pay local wages and buy local goods. This is not easy, either.

Zimbabwe was once South Africa's biggest trading partner in the region, but as one ANC veteran who spent time in exile in Zimbabwe complained:

*"Protection of investment – they don't want to tie themselves to that! So if they don't want to protect investment from here into Zimbabwe, there is not going to be much in the way of investment because come tomorrow they are going to say we are going to nationalise. They say give us soft loans, give us that – they are just trying to get as much advantage as they can out of us but they don't want to get to the nitty gritty of consolidating and making sure that if South African firms invest in Zimbabwe that investment is safe."*

Many South African companies "ring fenced" their operations to protect the parent company. Overall, companies managed to remain profitable and maintained a positive long-term view.

Much has been written on the ZANU-PF elite's role in sustaining the Mugabe regime. One important element in this elite's development was the placement of people in parastatals. The poor management of these institutions and the misuse of them for personal gain are well documented.<sup>238</sup> Crony capitalism and rent-seeking behaviour is endemic. These entities have undergone various changes, including some privatisation that has been used to benefit individuals loyal to the regime. Many have run up huge debts, including debts to South African parastatals such as Eskom and SASOL.

McKinley<sup>239</sup> suggests that there is a link between the Zimbabwean elite and South Africa's, and that extensive deals have been done to restructure the debts into cross-border investments. McKinley's view is that these relationships form part of a conscious attempt at South African "sub-imperialism". Richard Saunders follows this line of thought too, asking "who will be left in control of the Zimbabwean economy when it starts to revive?"<sup>240</sup> The former Swedish ambassador to Pretoria, Ander Mollander, disagreed, suggesting that "the absence of a functioning economy" in Zimbabwe does not help South African business at all."<sup>241</sup> There were other reasons for supporting Zimbabwe under Mugabe, including

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<sup>238</sup> Brian Raftopoulos, 'The state in crisis: Authoritarian nationalism, selective citizenship and distortions of democracy in Zimbabwe', Brian Raftopoulos, Stig Jensen, Amanda Hammar, eds., *Zimbabwe's Unfinished Business: Rethinking Land, State and Nation in the Context of Crisis*, Harare: Weaver, 2004.

<sup>239</sup> Dale McKinley, 'Commodifying Oppression: South African Foreign Policy towards Zimbabwe under Mbeki', Roger Southall, ed., *South Africa's Role in Conflict Resolution and Peacemaking in Africa*. Pretoria: HSRC Press, 2006.

<sup>240</sup> SALO interview with Professor Richard Saunders, 2007.

<sup>241</sup> SALO interview 2008.

assisting the Mugabe regime in the face of growing international isolation or, working on a creative way to deal with Zimbabwe's debts.

It seems, in the end, that Zimbabwe may well be mortgaging its future. As the Solidarity Peace Trust's *A Difficult Dialogue* puts it,

*Through the combination of trade and loans, Zimbabwe is being effectively drained. Money is flowing out of Zimbabwe to buy imports, such as fuel, electricity and maize from South African companies and the state. To raise this money, in many instances, Zimbabwe is borrowing from South African banks. It has to pay back these loans at high interest rates ... which is very profitable for the banks. If it fails to do so, these companies will take ownership of the assets that the Zimbabwe government has offered as collateral.*"<sup>242</sup>

Whatever motivation is impugned, there is a complex, mutually dependent relationship between the two countries' parastatals and by extension between the two governments, not to mention the private sector. There is more than a simple client/supplier relationship, particularly where the Development Bank and others have become involved. South Africa's parastatals have come under pressure from the South African government to be self-sufficient and profitable, and Eskom in particular has been criticised for power outages during 2006 and 2007: why then did it extend cheap credit to its neighbour?

In sum, the words of South Africa's then Governor of the Reserve Bank, Tito Mboweni are appropriate: "I wish to call a spade a spade. The wheels have come off in Zimbabwe. In a globalised world, no country can behave as if it was an island."<sup>243</sup> South Africa happens to be an island in the choppy seas Zimbabwe has created, and in spite of its superior size cannot but be affected gravely.

### **Security, Militarisation and Repression: Regional Challenges**

South Africa is considerably more than *primus inter pares* in the southern African region. The region's aggregate GDP is about half of Africa's as a whole, and South Africa's at \$296 billion is about three-fifths of SADC's. Yet its economic power does not guarantee it 'hegemony' (leadership by consent) or 'domination' (leadership though force, or no alternative). Thus the 'military-industrial complex' that Dwight Eisenhower warned the Americans about as he retired from the presidency is a concern of any society (even if some societies are more industrialised than others) as well as its neighbours. How this complex is

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<sup>242</sup> Shawn Hattingh, "South Africa and Zimbabwe: the vultures have descended". Centre for Civil Society, University of Kwa-Zulu Natal, October 2007, quoted in Solidarity Peace Trust, *A Difficult Dialogue: Zimbabwe-South Africa Economic relations - A preliminary Report*, SPT: Port Shepstone, October 2007, p. 35.

<sup>243</sup> *The Guardian*, September 13, 2002.

related to society as a whole, of course, depends on its historical evolution. So too is the relationship between the military-economic complexes of any two societies. It should be noted that it is very hard for a relatively overwhelming economic power such as South Africa to maintain appearances of multilateralism and hegemony through consent. As Canada's Prime Minister Pierre Elliot Trudeau said of the relationship between that country and its southern neighbour, "Living next to you is in some ways like sleeping with an elephant. No matter how friendly and even-tempered is the beast, if I can call it that, one is affected by every twitch and grunt."<sup>244</sup> Unlike the United States of America, however, South African foreign policymakers from 1999 to 2009 seemed acutely aware of being seen as an elephant and did everything possible to avoid trampling in others' rooms. This reticence may have been a denial of the responsibility of a regional hegemon, or discomfort at the feel of the new size – especially given its historical growth patterns under apartheid.<sup>245</sup>

The security paradigms of South Africa and Zimbabwe are different in many respects, due to differences in the cultures and objectives of the ANC and ZANU as national liberation organisations. These differences have had a profound influence on the development of civil-military relations after liberation. For the ANC, *Umkhonto we Sizwe's* (MK) armed actions represented only one of four pillars of the struggle to end apartheid. The principle of subordination of military structures to the political leadership was never seriously challenged. The ANC's Department of Intelligence and Security (DIS) in some respects resembled a military counter-intelligence organisation rather than a civilian strategic intelligence service, but both strands were always present. By contrast, ZANU and its military wing ZANLA were virtually indistinguishable. When in 1977 Robert Mugabe consolidated his power over the young radicals in ZIPA, he extinguished any democratic currents within the guerrilla army. This authoritarian-militarism has remained a core feature of ZANU-PF in government.

Moeletsi Mbeki argues that,

*"ZANU is ... not a sophisticated party like the ANC; it's a physical force party. Bending over backwards to ZANU actually makes them have contempt for you. They don't admire you for doing it: they despise you for doing it because they believe in physical force. That is one of the problems the ANC has with ZANU. They are talking past each other; ZANU being a party of force with very weak social conscience, if you wish, other than a sort of strong self-interest, material self-interest in its leadership. The ANC is totally the opposite. The use of force in the ANC is a very minor part of its way of seeing the world. In 1990 the ANC's analysis of the armed struggle in South Africa was that it was never an armed struggle, it was armed propaganda, so even in its*

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<sup>244</sup> Address to the Washington DC Press Club, March 26, 1969.

<sup>245</sup> Adekeye Adebajo, Adebayo Adedeji, and Chris Landsberg, eds. *South Africa in Africa: The Post-Apartheid Era*, Pietermaritzburg: University of KwaZulu-Natal Press, 2007.

*own analysis the ANC never fought an armed struggle. Now ZANU fought a real armed struggle. These are some of the dynamics.”*

Following independence Zimbabwe played a lead role in uniting the Frontline States and the SADCC<sup>246</sup> against apartheid South Africa, a common, easily-defined enemy. But in the post-Cold War era and the demise of apartheid, it rapidly became evident that SADCC nations had varying conceptions of their national interests; in addition, their approaches to regional security policy and methods of conflict resolution differed.

In 1992, the Southern African Development Community (SADC) was established. Its mandate was “to promote economic integration, poverty alleviation, peace, security and the evolution of common political values and institutions.”<sup>247</sup> In 1996 SADC created the Organ on Politics, Defence and Security (OPDS). It was run out of Zimbabwe’s Ministry of Foreign Affairs until 2002, when Zimbabwe’s erstwhile colleagues realised the error of their ways after the DRC controversy split the organization, as Zimbabwe’s “Operation Sovereign Legitimacy” went ahead without SADC’s authorisation.

Zimbabwe’s intervention in the DRC ended up costing \$1 million a month, at a time when the state had just committed billions to the ‘war-vets’ pensions and had sent letters to 1,471 commercial farmers that their time was up. Zimbabweans with mobile capital were exporting it as fast as they could, so one of Zimbabwe’s reasons for entering the DRC conflict was to make sure its aid to Kabila’s campaign against Mobutu would be repaid with mining concessions. Nest<sup>248</sup> adds two more reasons for that war, which although breaking the fiscus and persuading the IMF to suspend further funding made a host of military figures very rich: Mugabe wanted to upstage President Mandela in SADC; and the SADC Charter ruled that if one country was invaded others would help it out. When that war was finally over, South Africa was seen as the peacemaker and Zimbabwe had nothing to show for its efforts.

This war, as well as the SADC intervention in Lesotho, created the momentum for the October 1999 decision to bring the OPDS directly under the SADC wing. By January 2002 it was given a new name – the SADC Organ on Politics, Defence and Security Co-operation (OPDSC) – for good measure. The objectives of the new SADC Organ reflect a comprehensive approach to regional security co-operation, emphasising human security and the pre-emption of conflict. Most observers saw the incorporation of the OPDSC into SADC as a positive step towards regional security integration. Most importantly, it would prevent abuse of the Organ by any one state for its own perceived interests in the region. In

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<sup>246</sup> The Southern African Development and Coordination Conference.

<sup>247</sup> Mwesiga Laurent Baregu and Christopher Landsberg ‘Introduction’, *From Cape to Congo: Southern Africa's evolving security challenges*, New York: International Peace Academy, 2003, pp. 1-8.

<sup>248</sup> Michael Nest, ‘Ambitions, Profits & Loss: Zimbabwe’s Economic Involvement in the Democratic Republic of the Congo,’ *African Affairs*, 100, 400 (July 2001).

terms of the Mutual Defence Pact, members are not bound to collective armed action in response to an attack on any member state, but are allowed to partake of any collective action as deemed appropriate.

The pact's discourse is far from the contemporary emphasis on 'human security' or the 'responsibility to protect', though: state security is given prime importance. Thus the principle of respect for sovereignty reigns over an approach which views people, rather than states and their rulers, as the primary referents of security: the SADC Organ has no enforcement mandate, and can only become involved in the internal affairs of a member-state if invited by that member state.

Nathan<sup>249</sup> believes that the difficulties experienced in establishing an effective regional security structure cannot be adequately understood in terms of tensions between South Africa and Zimbabwe, or disagreements over the structure and status of the Organ.

*"First and most importantly, there is an absence of common values among member states. There are two key lines of division: between democratic and authoritarian tendencies in the domestic policies of states, and between pacific and militarist orientations in their foreign policies."*

By July 2008, the security situation in the SADC region had deteriorated significantly. There had been unconfirmed reports that foreign mercenaries, possibly from Rwanda, had joined ZANU-PF militia in terrorising Zimbabwean civilians. Botswana deployed an army brigade with artillery to patrol its border with Zimbabwe; it described the troop movement as 'a precaution' against trouble spilling over into their country. Concerns were increasingly expressed about the possibility of the outbreak of civil war in Zimbabwe, usually understood as being the result of retaliatory violence in response to ZANU-PF's brutality coalescing into some form of armed resistance movement, with or without the approval of the MDC. A range of observers expressed fears that ZANU-PF could embark on a genocidal war against the Ndebele minority. Others speculated about the possibility of an aggressive military response by Harare to increased pressure for reform, and warned that Zimbabwe's armed forces still constituted a formidable threat. In 2009 as the ZANU-PF end of year congress loomed on the horizon, speculation increased about the possibility of internal jockeying for power spilling over into civil war.

Concerns were raised about South Africa's military capacity to deal with threats of this nature. Professor Mike Hough of the Institute of Strategic Studies at the University of Pretoria felt that armament orders and deliveries in the SADC region were a further cause for worry. Botswana had ordered new German tanks, and Zimbabwe had recently taken

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<sup>249</sup> Laurie Nathan, 'The absence of common values and failure of common security in southern Africa, 1992-2003', *Working Paper no. 50*, Crisis States Research Centre: London School of Political Science and Economics (July 2004).

possession of six new Chinese fighter aircraft.<sup>250</sup> But other sources contradicted these claims, stating that in the unlikely event of a conventional war situation developing, Zimbabwe would not pose a serious threat:

*“The country’s airpower is almost ground to a halt due to lack of spare parts, soldiers’ morale is low because of poor serving conditions, and the state of the economy limits the extent of how long the country can sustain a war. Currently the army is sending its soldiers on forced leave due to food shortages in army barracks. These are all factors that constrain its operations.”*<sup>251</sup>

In June 2008, SALO asked Moeletsi Mbeki for his opinion on these issues. He did not think

*“[G]enocide is on the cards. Who will be killing who? Genocide is usually against a clearly identifiable population group. There isn’t a population problem in Zimbabwe. The majority of Zimbabweans support MDC, as we saw in the election. So if we are going to have genocide, we have to have genocide against the majority of the Zimbabwe people. [...] The terrorising of the supporters of the opposition is not the same thing as genocide.*

*Civil war in Zimbabwe? Well you can never say, ‘never’ because ZANU is very clearly splitting. What will cause a civil war in Zimbabwe is one wing of ZANU fighting another one: that’s what will really trigger civil war in that country. It’s probable because it’s very clear that there is a certain wing of ZANU that has had enough of what Mugabe is doing; that’s why Simba Makoni is part of that wing. Now when they’re going to start fighting amongst themselves; I don’t know, but that is a probable scenario.”*

### **SA-Zimbabwe Bilateral Defence and Security Relations**

The belief that a coup could be staged if the MDC won elections and that a civil war could erupt appears to have been a central driver of South African policy towards Zimbabwe. The 2002 public statement by Zimbabwean chiefs of security to the effect that they would refuse to serve under an MDC government appears to have been taken very seriously. Thus many critics who condemn the ‘softly softly’ approach may not be viewing the whole picture: South Africa may not be ‘co-operating’ with Zimbabwe as enthusiastically as it appears.

An anecdote from a meeting of the RSA-Zimbabwe Joint Permanent Commission on Defence and Security (inaugurated in November 2005) illustrates some of the differences between

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<sup>250</sup> ‘Zim bank chief pleads for ‘one voice’’, *Sunday Times*, July 14, 2008.

<sup>251</sup> Tichaona Sibanda, ‘Mugabe’s regional war talk’, <http://www.swradioafrica.com/news040708/mugswartalk040708.htm>, July 4, 2008.



the two countries. Zimbabwe's Minister for State Security, Didymus Mutasa, reportedly said the greatest threat to the Southern African region's security came from "outside influences whose aim is to effect regime change especially with regard to countries led by former liberation movements".<sup>252</sup> Later discussion included means of controlling the flow of illegal migrants from Zimbabwe into South Africa, and Harare's concerns about the ill-treatment some of their citizens were receiving in South Africa from its law enforcement agencies.<sup>253</sup> At a dinner in the South Africans' honour, Mutasa gave his visitors a lengthy lecture, telling them they were letting Africa down by promoting gay rights and non-racialism. The head of the visitors' mission, then Defence Minister Mosioua Lekota, allegedly responded tersely that the South African constitution protected the rights of all citizens, and that white South Africans had no other home. Although many Zimbabweans and South Africans are concerned about South Africa's official intelligence ties with Zimbabwe<sup>254</sup>, this incident underlines the enormous gap between the two countries, making cooperation against Zimbabwean democracy activists seem unlikely.

The fact that South Africa ran a spy ring inside ZANU-PF also speaks volumes about the distance between the two governments. South African foreign policy makers believed that if the MDC won elections ZANU-PF forces would stage a coup, beginning a civil war. The best strategy, it was thought, would be to encourage reform within ZANU-PF. Thus South Africa's foreign intelligence wing, the South African Secret Service (SASS), was sent to gather information from agents recruited in Zimbabwe, to promote the fortunes of the Mnangagwa faction within ZANU-PF.<sup>255</sup> The operation ended disastrously. SASS agent Aubrey Welkom and six senior ZANU-PF members in the network were arrested (Phillip Chiyangwa, a provincial ZANU-PF chairperson and former Zimbabwe consul-general in South Africa, Godfrey Dzvairo, newly appointed Zimbabwe's ambassador to Mozambique, ZANU-PF director for external affairs Itai Marchi, top security officer Kenny Karidza, banker Tendai Matambandazo, and Zimbabwean diplomat Erasmus Moyo.) As a result, attitudes between Harare and Pretoria hardened and the distrust in Harare heightened.

The spy saga may also explain Intelligence Minister Kasrils's apparent solidarity with Zimbabwe's Mutasa and Sekeremayi: he was intent on procuring Welkom's release from torture, as Zimbabwean writer Judith Todd in her book "Through the Darkness: A life in Zimbabwe."<sup>256</sup>

Yet there are still worries about the contradiction between SADC's commitment to solidarity to neighbours on one hand and attempts to promote peace, stability and democracy on the

<sup>252</sup> 'SA, Zim strengthen ties', *News24*, November 17, 2005.

<sup>253</sup> 'Illegal immigrants, crime to top SA-Zim talks', *Zimonline*, accessed 10/07/2007

<sup>254</sup> South Africa was accused of helping Zimbabwe monitor non-government organizations deemed by Robert Mugabe to be subversive: South Africa has denied this.

<sup>255</sup> Chris Maroleng, 'Zimbabwe: Increased securitisation of the state?', *ISS Situation Report*, Pretoria: Institute for Security Studies, September 7, 2005.

<sup>256</sup> Judith Todd, *Through the Darkness: A life in Zimbabwe*, Zebra Press, 2007, p.441

other. And besides that issue is one at the top of traditional security concerns: the controversial and complex question of whether Zimbabwe poses a threat to its neighbours.

South African officials state that Pretoria's approach to Zimbabwe in international forums is influenced primarily by ongoing attempts by the South to democratise the UN and prevent abuses of the veto powers of the major Western nations in the Security Council. The British and American-led invasion of Iraq increased these tensions with the West in the UN.

The issue of arms sales to Zimbabwe has been a source of concern too. In 2005 Zimbabwe acquired spare helicopter parts from South Africa, enabling Harare to intimidate would-be protestors from the air during Operation *Murambatsvina*. Tim Hughes of the South African Institute of International Affairs found:<sup>257</sup>

*"[T]he sale ... a violation, not just of international sanctions on Zimbabwe, but ... a contradiction to our efforts at a peaceful and negotiated settlement. This can't be done if you're arming a militaristic regime to the teeth.*

*This is ... not the sort of role we would expect from South Africa and particularly because South Africa has been so ... judicious in terms of the control of its arms sales. We voluntarily decided not to sell weapons to Turkey for example. Those contracts could have been very lucrative. We also had concerns about selling weaponry to the Middle East and Indonesia. Yet we haven't applied the same principles to the sale of these parts to Zimbabwe.*

*The only claim in defence of this was that they were on open auction and open tender. [...] South Africa has to make it perfectly clear that it draws the line at the sale of arms and weaponry particularly the states undergoing such severe conflict as Zimbabwe."*

Moeletsi Mbeki explains the background:

*"South Africa has rules in terms of military equipment that. ... South Africa's position is that you don't sell military equipments to countries where there is armed conflict. That's the general guiding principal. ... Zimbabwe - as far as the ANC government is concerned - is not in conflict. There's no armed conflict in Zimbabwe and, according to the ANC delegation that went to watch the election Mugabe was fairly elected. They were saying the elections were 'legitimate' and free and fair, so as far as the ANC government is concerned, Mugabe is there through legitimate democratic means, so there is no need for any sanctions of any nature whatsoever against the ZANU-PF regime."*

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<sup>257</sup> Interview, SALO, 2007.

According to a press report<sup>258</sup>, official trade records indicate South Africa supplied Zimbabwe with a range of military hardware and spares for some years, including Dakota aircraft engines, items such as “bombs, grenades, torpedoes and missiles”, and tonnes of cartridges, revolvers and/or pistols and other firearms - despite increasing repression in that country, and South Africa’s role as SADC-appointed mediator.

Such sales require the approval of South Africa’s National Conventional Arms Control Committee (NCACC.) The act governing the NCACC states that South Africa must “avoid transfers of conventional arms to governments that systematically violate or suppress human rights and fundamental freedoms” or “endanger peace by introducing destabilising military capabilities into a region or otherwise contribute to regional instability.” The NCACC was headed by Sydney Mufamadi, a key member of President Mbeki’s mediation team.<sup>259</sup>

Harare was also acquiring arms from other sources. Chinese fighter aircraft allowed Zimbabwe to threaten its neighbours. Mugabe may have seen this acquisition as a “deterrent” to the rest of SADC should there be any consideration of taking military action against Zimbabwe, as occurred with Lesotho.

The “Durban Arms” controversy sent South Africa’s reputation spinning around the world. In April 2008 a whistleblower informed *Noseweek’s* Martin Welz that a consignment of arms destined for Harare had arrived in a Chinese ship docking in Durban, so the story spread. The consignment included almost three million rounds of ammunition for small arms and AK-47s, about 3 500 mortars and mortar launchers, and 1 500 rockets for rocket-propelled grenades.

SANDEF’s January Masilela, chair of the NCACC scrutiny committee, issued a transport permit for the arms on April 14th, shortly after the ship arrived. These permits are usually issued by the chair of the NCACC – Sydney Mufamadi – and the Minister of Defence (Mosiuoa Lekota) or the Directors-General of their departments, in consultation with the National Intelligence Service, the SASS, and the Department of Foreign Affairs.<sup>260</sup>

Ignoring the provisions of the National Arms Control Act, and instead pointing out that there is no trade embargo against Zimbabwe, senior government spokesperson Themba Maseko commented after a Cabinet meeting:

*“We are not in a position to act unilaterally to prevent a trade deal between two countries. South Africa is not at all involved in the arrangement. It would be possible,*

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<sup>258</sup> ‘SA arms flow to Zimbabwe’, *Mail & Guardian*, June 27, 2008

<sup>259</sup> ‘SA arms ...’, June 27, 2008.

<sup>260</sup> Erika Gibson and Gloria Edwards, ‘Zim weapons ship waits for OK’ *Beeld*, April 17, 2008

*but very difficult, for South Africa to start intervening and saying that we would not allow the shipment through."*

January Masilela responded to queries as follows: "This is a normal transaction between two sovereign states. ... [Legally] we don't have to interfere."<sup>261</sup> When President Mbeki was asked about the consignment at a press conference at UN Headquarters, he suggested the questioner "ask the Chinese Ambassador". He continued: "Durban harbour handles goods for many countries on the continent. ... I really don't know what Zimbabwe imports from China or what China imports from Zimbabwe."<sup>262</sup>

It was left to civil society to intervene. Cosatu's South African Transport and Allied Workers Union (Satawu) announced that its members would not offload the ship, and Anglican bishop Rubin Phillip and religious leader Patrick Kearney applied to the Durban High Court for an interdict to prevent the weapons from reaching Zimbabwe. Their legal action was sought in terms of the provisions of South Africa's own Conventional Arms Control Act. Judge Kate Pillay ruled in favour of the application, granting an interim interdict prohibiting the conveyance of arms and ammunition across the territory of South Africa. Trade unions and civil society groups across the SADC region pledged support to the campaign.

The *Mail and Guardian* later published a story, apparently leaked by South African government sources in their defence. They claimed President Mbeki had actually issued "direct orders" to the Ministry of Defence and the NCACC to permit the arms transfer. It was further claimed that certain senior Cabinet ministers and government officials, including Trevor Manuel, South African Revenue Service Commissioner Pravin Gordhan, director-general in the Department of Transport Mpumi Mpofo and officials of the South African Police Service (SAPS), directly defied the President by working to delay the docking of the ship in the hope of impounding the containers of weapons. This created the window of opportunity for the actions taken by civil society against the delivery of the consignment. This alleged insistence by President Mbeki on letting the weapons through was reportedly described as "bizarre" and "embarrassing" by former close allies in the ANC.<sup>263</sup>

There have been a range of claims and counter-claims connected with this incident, none of which can be independently verified. For instance, reliable sources say that it was highly unlikely that senior Cabinet colleagues close to the President would have revolted against him, and it was even less likely that they would have survived this act of defiance. Mbeki is known for insisting on absolute collective discipline in the Cabinet. He is also reputed to prefer working in a Machiavellian way to distance himself from his own actions; hence an alternative interpretation of the *Mail and Guardian* leak, according to interviews conducted

<sup>261</sup> Giordano Stolley, 'Opposition grows to arms shipment for Zimbabwe' *Mail and Guardian*, April 17, 2008.

<sup>262</sup> Remarks by President Mbeki at a press conference at United Nations Headquarters, New York. Issued by: Department of Foreign Affairs 16 April 2008. <http://www.info.gov.za/speeches/2008/08041712451002.htm>

<sup>263</sup> Nic Dawes, 'Manuel defies Mbeki on arms,' *Mail and Guardian*, May 2, 2008.

by SALO, is that Mbeki himself was in on the plan to allow the South African Revenue Services to detain the weapons.

The Presidency has not denied the claims published in the *Mail and Guardian* that the former President ordered that the arms transfer should take place, but did deny later claims that the President had personally ordered a South African Navy ship to refuel the arms vessel.

The incident highlighted the dilemma posed for the South African government's policy of quiet diplomacy: the refusal of policy makers to discuss their motives, actions and views openly left room for misunderstandings and speculation about bias towards the Mugabe regime and sent mixed signals to all players and observers – its own citizens, ZANU-PF and the international community. An accurate reading of South Africa's Zimbabwe policy became increasingly challenging, and the integrity of senior Mbeki government leaders was constantly called into question by those who perceived them to be aiding and abetting repression in Zimbabwe.

As recently as May 1 2008, the South African government continued to deny that Zimbabwe posed any threat to regional security. In the context of Pretoria's opposition to the inclusion of the Zimbabwe crisis on the UN Security Council agenda, George Nene, Deputy Director-General for Multilateral Affairs in the Department of Foreign Affairs, stated that South Africa did not deem Zimbabwe a threat to security in the region; if it was not a threat to the region, then it could not possibly pose any threat to international security.<sup>264</sup>

However, these remarks were made before the countrywide attacks on foreigners in South Africa started on May 11 2008. By the end of the month, over sixty people were dead, tens of thousands displaced, and horrific pictures of merciless acts of violence dominated every major news service. A shift in thinking within the South African government on the extent to which Zimbabwe was a threat to South Africa's security may have occurred as a result. A *Sunday Times* interview with Ronnie Kasrils, then South Africa's Minister for Intelligence Services, indicated as much. He said the violence "could amount" to a national security threat, and that the ministry's assessments on that eventuality included "events in Zimbabwe". That is why, said Kasrils, "President Mbeki ... and government have been working very hard to try and see a normalisation of that situation."<sup>265</sup> Kasrils was far from alone in his suspicions. It was a widely spread notion that the Zimbabwean state had sent agents to South Africa in order to stir up the xenophobic atmosphere to deflect the South African state from the electoral difficulties to the north. The Zimbabwean Deputy Minister of Information had another twist: he claimed the MDC sent members to South Africa to fuel

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<sup>264</sup> SAFM Radio, May 2, 2008.

<sup>265</sup> Chris Barron, 'So many questions with Ronnie Kasrils', *Sunday Times*, May 18, 2008.

anti-Zimbabwean sentiments in South Africa so voters would go to Zimbabwe for the runoff election.<sup>266</sup>

### **Militarisation And Repression**

According to Chris Maroleng:

*"In each successive election since independence, the gun has been the 'security officer', the 'guarantor' of the votes for Mugabe and ZANU-PF who have not hesitated to use it. ZANU-PF's commitment to the use of the gun has increased as its popularity has decreased, particularly since the party was defeated in the referendum held in February 2000 and the advent of a formidable opposition party in the MDC."*<sup>267</sup>

The "fast track" land reform programme was highly militarised and fed into other initiatives that built relationships based on patronage between the state and security forces. As Professor Richard Saunders notes:

*"Seven years after the 2000 land invasions there's increasing evidence, documented evidence, that these invasions were not spontaneous, nor did they benefit those who ZANU claimed they were benefiting at the time, the rural, landless peasantry. What seems to be much clearer now is that these invasions were organized by the military, by ZANU-PF militants, but particularly by the security branch in the president's office, the CIO, Central Intelligence Organization, using the so-called war veterans and the youth militia."*<sup>268</sup>

Saunders goes further to suggest that the highly militarised state-sanctioned land invasions had a further, more sinister, political agenda:

*"ZANU knew in 2000 that to win the parliamentary elections which were postponed until June 2000 it needed to keep those commercial farm workers and others in the rural areas who had not voted for ZANU from voting; if they couldn't do that, they would lose the parliamentary elections. The only effective way to shut down that rural vote strategically was to encircle those commercial farms and move those commercial farm workers out of harm's way of the voting booth. This has actually since been admitted by Jonathan Moyo who became a strategic advisor and central operative in the election campaign and the military campaign of the June 2000*

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<sup>266</sup> Tracy Shoko, 'Mugabe blames MDC for racist attacks in South Africa', *The Zimbabwean*, May 27, 2008.

<sup>267</sup> Chris Maroleng, 'Zimbabwe: Increased securitization ...', 2005.

<sup>268</sup> Interview with SALO, 2007.

*parliamentary elections. He actually told me that he was told 'make sure those people don't vote.'*<sup>269</sup>

ZANU-PF portrays any threat whatsoever to its control as proof of foreign interference, as attempts to bring about “regime change” or to “re-colonise” Zimbabwe through the MDC. This is portrayed not only as the key threat to Zimbabwe’s national security, but to the security of the SADC region as a whole.

The *de facto* takeover of government by securocrats within ZANU-PF was formalised by the establishment of the Joint Operations Committee (JOC), which by 2008 had usurped the role of Cabinet through its weekly meetings to determine government policy.<sup>270</sup> First established by the Smith regime in the 1970s the JOC was resurrected through a gradual ‘militarisation’ of the state, by which the military took control of many ministries and parastatals. In addition, the National State Security Council, which co-ordinated nine task forces overseeing the economy, was also dominated by military, police, and intelligence officers. It is difficult to say what influence JOC has in the GNU cabinet, but it is safe to assume it still wields much power. The commanders of Zimbabwe’s armed forces perceive the ZNDF’s role as going well beyond the defence of the territorial integrity of the nation; it is more “some sort of Praetorian Guard that must safeguard ZANU-PF’s political dominance.”<sup>271</sup> The question is, as a Zimbabwe Institute reports implies (through its recommendation) will this very well-established protectorate leave its own gates unwatched without guarantees that their power, wealth – and lives – will be safeguarded?<sup>272</sup>

South Africa’s reactions to this process have been keenly watched by states and societies across the continent and around the world.

### **Continental Perceptions of South Africa’s Zimbabwe Foreign Policy**

When Michela Wrong chatted with senior members of the Kenyan elite at their favourite golf course, searching for the reason why they regarded the ‘whistle-blower’ on generations of Kikuyu corruption as a sellout, they reminded her of their people’s long struggle against colonialism. ‘We were the Mugabes of the day, the bad boys.’ The British ‘hate us, they really hate us’ the golfers declared; they ‘have never, ever forgiven the Kikuyu for fighting them ... and that is why they are out to destroy a Kikuyu presidency’. Since John Githongo

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<sup>269</sup> SALO Interview, Richard Saunders, 2007.

<sup>270</sup> Membership of the JOC included the Commanders of the Defence Force, Army, and Air Force; the director-general of the CIO; the Commissioner and Deputy Commissioner of Police, the Commissioner of Prisons, and the Governor of the Reserve Bank. This is modelled on the Rhodesian JOC of the seventies, and is strongly reminiscent of the role of the State Security Council in South Africa in the 1980s

<sup>271</sup> Chris Maroleng, ‘Zimbabwe: Increased securitization ...’, 2005.

<sup>272</sup> Zimbabwe Institute, ‘The Security-military Business Complex and the Transition in Zimbabwe’, Discussion Paper, Zimbabwe Institute, June 2008.

had spilled the beans on their system of accumulation, he was easily labelled a 'spy who was recruited ... yes *recruited*, by the British embassy'.<sup>273</sup>

This anecdote illustrates not only Mugabe's popularity with his peers among Africa's rulers, but this generation's still simmering anger directed to the colonial past. The brief colonial interlude will not be forgotten by the generation of African politicians who experienced it and feel it still. Wrong's next mention of Zimbabwe was inadvertently appropriate. To illustrate the UK's new attitude to Africa, she chose Secretary of International Development Clare Short's 1997 words to then Agricultural Minister Kumbirai Kangai. Short's generation of politicians, she said, was 'without links to former colonial interests' and thus had no more responsibility to pay for the land redistribution Mugabe had just promised to the war veterans. Wrong probably did not know how much anger this letter inspired in the ZANU-PF elite. Short's seemingly offhand dismissal of ZANU-PF's long-simmering claims was perceived as much worse than the 'hatred' that Kenya's elite thought was directed to them; nonchalance was worse than odium, yet also, ironically, reducing dependence was harder to face than a strong dose of aid-addiction inducing largesse.<sup>274</sup>

For Robert Mugabe himself, never mind that it was an influential British member of the foreign service establishment who looked after his wife, Sarah (or Sally) for years in London, while Mugabe was in prison,<sup>275</sup> or indeed that it was the same man who turned the arguments in 1980 about whether or not Zimbabwe's first election should be considered 'free and fair' in Mugabe's favour: after Clare Short's letter any kind feelings towards Whitehall were forgotten. It was irrelevant that Britain's cool new generation of foreign policy makers has mostly forgotten about the history of colonialism and liberation: in the eyes of the formerly colonised, daughter is like father. With this British forgetfulness (or in Mugabe's eyes, deceitfulness), the next allies in line were the 'war vets'.<sup>276</sup> Their demands a few months before the Clare Short letter had led to the request that inspired the memorandum, both of which in any case *did* lead to a long donors' conference on the land the next year. When that conference resulted in impasse and no British funds, the alliance with the 'war vets' was sealed. With the added incentive of the lost referendum in February 2000, the state-organised invasions could begin in earnest, almost inexorably.

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<sup>273</sup> Michela Wrong, *It's Our Turn to Eat: The Story of a Kenyan Whistle Blower*, London: Fourth Estate, 2009, p. 287. As Wrong pointed out, the men in the golf course were more likely to have been loyal to the British colonialists than the *Mau Mau*, but that did not change their *perceptions* of their role in history and the present relationship with the British, who actually shower aid on Kenya in spite of its problems quelling corruption. It should be noted here that the ethnic dimensions of the Kenyan and Zimbabwean case are quite different: there is little evidence that the Zimbabwean 'Zezuru' have a role similar to that of the Kikuyu in Kenya, and there is no ethnic group in Zimbabwe that could be considered to be 'Mugabes'.

<sup>274</sup> Heidi Holland's interview with Robert Mugabe on the Claire Short 'moment' illustrates the ambivalence of dependence very well: *Dinner with Mugabe: The Untold Story of a Freedom Fighter who became a Tyrant*, Johannesburg: Penguin, 2008, pp. 231-2. As Shula Mark's classic *The Ambiguities of Dependence in South Africa: Class, Nationalism, and the State in Twentieth-Century Natal*, Baltimore: Johns Hopkins Univ Press, 1986, explains, those who have spent a lifetime walking the tightropes of colonial challenges are masters of the mask, and 'what they say often had more than one meaning'. As well, while the former colonialists 'mentally file away ... one of a succession of historic misadventures' (Wrong, p. 288) this is not the case with the objects of the imperial mishap. Add the USA's invasion of Iraq to the picture – some members of the ZANU-PF elite did indeed fear invasion, and this spread down to denizens in the streets – and a volatile brew simmers.

<sup>275</sup> David Moore, 'ZANU-PF and the Ghosts of Foreign Funding,' *Review of African Political Economy*, 103 (March 2005), 156-162, interviews, United Kingdom, November 2008.

<sup>276</sup> To be sure, the British did offer nearly forty million pounds in a new tranche: but the conditions to be applied were too restrictive for ZANU-PF.



If there is anything to be said about the South African policy makers' responses to the Zimbabwean crisis, it is that they understood the depth of the Zimbabwean elite's anti-colonial fury much better than did their western counterparts. It was impossible – for awhile at least – to be seen to be siding with the colonialists or their legacy. However, it is far from certain whether this empathy led to any better solutions to the problem.

Thus there is a consensus among most analysts that the Mugabe regime won the support of most of Africa's state actors, and even much of its general population, by skilfully portraying its attempts to evade the democratic verdict of the Zimbabwean people as colonial redress around the land question. Broader anti-imperialist and Pan Africanist struggle discourses were also successfully incorporated into this discourse.<sup>277</sup> However, this may have started to change towards the end of the decade – and it is a good idea to find out why.

For a range of reasons, including the long-standing tradition of solidarity against a former colonial power, most African states did not criticise the Zimbabwean state's increasing human rights abuses. As well, the 'regime change strategy' that came to be seen the US foreign policy hallmark under George Bush also heightened the sensitivities of some African leaders to opposition movements on the continent

In the words of Ambassador Welile Nhlapo:

*"People are very sensitive and cautious about anything like 'regime change'." It would be unacceptable to unwittingly support that process purely on the basis that there are human rights violations or a deterioration of a situation, an abuse of power, and the betrayal of trust of the people by an elected government. You have to examine the dynamics that lead to that. Is there is an external factor, like in this case, where an issue of regime change becomes the order of the day? Then it's a dilemma and a problem for the African continent because you do not want to be associated with any process of that nature. Because you'll do it once and it can snowball and it can happen anywhere else. And there is that question of self-protection which is projected through inaction in certain situations"*<sup>278</sup>.

As if in response – but four years earlier – in 2003, the Secretary-General of the MDC addressed a meeting in Johannesburg:

*"The internationalisation of the Zimbabwean crisis, particularly in its African context, has unfortunately had the effect of prolonging the crisis. I refer in particular to the African and more particularly SADC view of the crisis in Zimbabwe. Whereas the Mugabe regime has been under considerable pressure from the international community – what you might call 'the West' – and under considerable internal pressure through mass action and other forms of non-recognition of that regime - the regime has received protection, unqualified protection in the AU and in SADC. I*

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<sup>277</sup> Ian Phimister and Brian Raftopoulos [Mugabe, Mbeki and the Politics of Anti-Imperialism](#), *Review of African Political Economy*, 31, 101 (September 2004), pp. 385-400; Brian Raftopoulos and Ian Phimister. 'Zimbabwe Now: The Political Economy of Crisis and Coercion', *Historical Materialism* 12, 4 (December 2004), pp. 355-82.

<sup>278</sup> Interview with Ambassador Welile Nhlapo May 15 2007.

*suggest that from an analytical point of view, that is what has given it more sustenance than anything else.*

*You will recall that at almost every international forum there are countries which, when the Zimbabwean foreign ministers and their staff fail to persuade anyone else, have taken it upon themselves to actually act as the foreign minister of Zimbabwe. The UNHCR twice, the EU-ACP forum, the Commonwealth – the examples are endless. This is the bewildering part, at least to some of us.”*

The Mbeki administration was very sensitive about being seen as the regional bully, following its own agendas in conflict situations, or as perpetuating the hegemonic ambitions of the former apartheid state. Much had been made of what was generally portrayed as President Mandela’s ill-considered public confrontation of the Abacha military regime in Nigeria over the threatened executions of Ken Saro-Wiwa and other activists. This is commonly offered as the key justification for President Mbeki’s insistence on “quiet diplomacy”.

Chris Landsberg expanded on these themes at a June 2007 SALO conference in Pretoria:

*“To understand South Africa’s role in Zimbabwe [or other African states] you must appreciate their sensitivity about sovereignty. ... They subscribe to the idea we should go beyond sovereignty in the continent and universalise our norms and values (...) but their fundamental starting point is you are not going to get very far unless you are sensitive about sovereignty.*

*Just after the opening of Parliament I attended a meeting where the President addressed his heads of missions. There were foreign observers there. This was in the aftermath of serious Australian criticism towards South Africa’s attitude on Zimbabwe. The President made a very curious observation. He said, “At least Mugabe is still returning my calls.”*

*“What he was driving at is very significant. Whether it’s Lesotho or the monarchy in Swaziland, there is a fundamental price on open and regular contact and at least the ability to speak with people. Whether they use that strategically enough is an interesting question.*

*“Secondly, unless you understand their sensitivity to how they are perceived by others in the region, their greatness, their gigantism, their historical role, and destabilisation - you are not going to make progress (in) understanding South Africa.*

*What then is the strategy towards Lesotho, Swaziland and Zimbabwe? First of all: do not offend the regimes in these countries - none of them. In private they express the most unbelievable frustration towards Robert Mugabe. You will be surprised about the things they say in private about how the solution in Zimbabwe will ultimately resolve itself, but publicly they will not go to the extent of offending this man, of confronting this man, of attacking this man. They won’t do it with Lesotho and they certainly won’t do it with the King (of Swaziland).”*

The consequences of this approach have detracted from South Africa’s ability to portray itself as a principled global defender of democracy and human rights.

## **International Perceptions**

In 2007, Tim Hughes commented on wider responses to Pretoria's handling of Zimbabwe's crisis.

*"This has tested the relationship with the Commonwealth very severely. Both parties have gone back to regroup, because they've realized that somewhere between 2003/2005 there was a stand-off between South Africa, the EU and Britain and the Commonwealth and no progress was being made. However, there are new efforts to think creatively about the working with people within Zimbabwe, working with South Africa, allowing South Africa and SADC and possibly the AU to take a lead on these issues and rather moving from a position of pressure to one of constructive support on the question of Zimbabwe."*

During 2007 there was a new initiative to repair relations between the EU and Africa over the Zimbabwe issue. The Mbeki mediation was the bridge over which it was hoped that a broader re-engagement between Zimbabwe and the international community would begin. However, the dispute over the March 2008 election put paid to these hopes – at least for a time. At the 26 and 27 June 2008 G8 summit in Japan Angela Merkel, the EU President, and President Mbeki agreed "the relationship between the EU and Africa is important and ought not to be blocked by a view about a particular country," as Mbeki put it, so the upcoming Africa-EU meeting in Portugal would go ahead with Mugabe invited.

These international gains acknowledge Africa's responsibility to manage its own affairs, but they depend on whether this approach delivers results in Zimbabwe. Many see the pace of change as too slow; others see the gains coming too late.

Tor Sellstrom summarises the western countries' dilemma over South Africa's insistence on handling the crisis in Zimbabwe in its own way:

*"There are those saying that Zimbabwe is heading for a major disaster, not just on the economic front, but perhaps towards violent eruptions between Ndebele speakers and Shona speakers. So if we talk about early warning or early intervention, when do you forestall such a scenario, which could happen through the economic meltdown by hunger, strikes and violent eruptions let's say in Matabeleland, and Mugabe sends in the army to quell such an uprising. If it got out of hand, becoming an ethnic thing then people would talk about genocide etc. I don't know the current situation in Zimbabwe well enough to say what's in that, but can say that if a regionalised contained conflict of that sort should happen, it would have disastrous consequences from the rest of the world's viewpoints on Africa and the South African government's attempts to apply African solutions to African challenges."*

## Chapter 4: Zimbabwe's Impact on South Africa

A July 2009 UNHCR report suggests that Zimbabwean refugees constitute a new analytical category of 'survival migrants'. They fall "neither within the legal definition of a 'refugee' nor are they voluntary, economic migrants." Instead, they are "fleeing an existential threat to which they have no domestic remedy. The reasons for their flight have mainly been a combination of state collapse, livelihood failure, and environmental disaster."<sup>279</sup> South Africa's (and many other countries') response to the 'survival migrants' has been "ad hoc and insufficient". For the last decade, South Africa has been at the forefront of a new phenomenon: its northern neighbour has not been subject to a full-fledged war or natural disaster, but its leaders have carried out a campaign of repression approaching a status of low-intensity warfare that defies legal categorisation and international intervention, and (except for the cholera epidemic of late 2008 and early 2009) the level of its humanitarian crises has been simmering rather than dramatic. The response of the international community has been just as 'ad hoc' as South Africa's.

According to the 2009 World Refugee Survey<sup>280</sup>, in 2008 there were approximately 116,000 Zimbabwean refugees and asylum seekers in South Africa. In Musina alone, more than 30,000 were reported to have applied in the last half of the year, with fifty-three (0.1%) being granted asylum<sup>281</sup>. Estimates of non-registered Zimbabweans in South Africa range from one to four million: in the absence of reliable statistics perhaps President Zuma's guess of "between three and four million"<sup>282</sup> could be taken as accurate, and politically important since such a high number reflects an effort to alert the government and the public to the gravity of the Zimbabwean crisis. In the middle of 2008, 17,000 Zimbabweans were being deported every month.

The economic, social, and political effect of these 'survival migrants' is of course harder to guess. They have entered the political discourse: on September 3 2009, just four days before the Kinshasa SADC meeting that might have been President Zuma's last chance to make a change in Zimbabwe, ANC deputy secretary-general Thandi Modise announced that the "more than three million Zimbabweans who had crossed the border were placing a huge strain on South Africa's health care, education and housing resources", thus necessitating Zuma doing "what he can to mediate [between the MDC and ZANU-PF] to ensure that things are working in Zimbabwe."<sup>283</sup>

The xenophobic attacks in May 2008 appeared to be the most obvious manifestation of a crisis related to this influx, but one cannot be sure that the targets were directly related to

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<sup>279</sup> Alexander Betts and Esra Kaytaz, *National and international responses to the Zimbabwean exodus: implications for the refugee protection regime*, United Nations High Commissioner for Refugees Policy Development and Evaluation Service, New Issues in Refugee Research, Paper No. 175, Geneva: 2009, p. 1. See also Tara Polzer, 'Responding to Zimbabwean Migration in South Africa: Evaluating Options', *South African Journal of International Affairs*, 15, 1 (June 2008), pp. 1-15.

<sup>280</sup> United States Committee for Refugees and Immigrants, *World Refugee Survey 2009 - South Africa*, 17 June 2009, available at: <http://www.unhcr.org/refworld/docid/4a40d2b2.html>

<sup>281</sup> Medecins Sans Frontieres, *No Refuge, Access denied: medical and humanitarian needs of Zimbabweans in South Africa*, Cape Town: MSF, June 2009, p. 9.

<sup>282</sup> Jacob Zuma, South African President, interview SAPA, June 10, 2009.

<sup>283</sup> Ntando Ncube, 'ANC speaks on Zimbabwean GNU', *Zimbabwe Times*, September 3, 2008.

the Zimbabwean diaspora: one statistical analysis claims most victims had been in South Africa for more than a decade<sup>284</sup> (although they may well have been the victims of the perpetrators' perceptions of an undesirable increase in general, targeting homes of long-term 'foreigners' who were simply better known as such than relative newcomers). Nevertheless, the 'Zimbabwean' component as a cause of the xenophobic attacks was an 'effective truth': it raised the domestic and international awareness of the diaspora.

The 43<sup>rd</sup> Ordinary Session of the African Commission on Human and People's Rights and the Pan African Parliament, along with numerous other individual and collective voices, condemned the attacks and called on the South African government to institute further measures to ensure the protection of foreigners.

To mark the first anniversary of the May 8<sup>th</sup> attacks, the Consortium for Refugees and Migrants in South Africa (CORMSA) said that "statements from leading politicians continue to cause divisions in South Africa with some openly xenophobic statements being attributed to leaders. These reinforce the many prejudices held within South Africa society and prevent the social cohesion South Africa so desperately needs to prevent vulnerable individuals or groups being marginalised. Accountability of those responsible for public violence remains minimal. Too few perpetrators of last year's violence have thus far been successfully prosecuted and it appears there have been insufficient investigations into those responsible for instigating and fuelling the violence in some areas. There has also thus far been no public inquiry by government.

The attacks added to examples of maltreatment by, and corruption in, the Department of Home Affairs and cases of police brutality – notably during the raids at Johannesburg's Central Methodist Church where nearly 2,000 Zimbabweans were hosted by Bishop Paul Verryn – became part of the South African public consciousness in May 2008, coincidentally just between the times when Zimbabweans had their freest election in March's final week, and their most brutal at the end of June.

When in April 2009 the Department of Home Affairs announced that it would introduce a Special Dispensation permit for Zimbabweans, many thought the difficulties of the diaspora were being recognised. However, that proposal had not been implemented as of the September writing of this chapter. Instead, Zimbabweans are allowed an ordinary 90 day work permit, renewable once at a cost of over R400 whilst within the country, or indefinitely on crossing the border. Given the costs of passports and emergency travel documents in Zimbabwe, this is actually more expensive than trying for asylum. Moreover, the differences between the old system and this new one are hard to fathom for the ordinary migrant: in interviews with sixty residents of the Central Methodist Church, only one person knew what an asylum permit was.<sup>285</sup> But even if the new dispensation – a 12 month pass allowing the right to work, study and have access to the basic services – were to come to pass, it would

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<sup>284</sup> Marguerite Duponchel, 'Who's the alien? Xenophobia in post-apartheid South Africa', Paper presented to the Social Research and Development Studies Seminar, University of Johannesburg, August 14 2009.

<sup>285</sup> [Samantha Mundeta](http://www.ngopulse.org/article/so-near-and-yet-so-far-90-day-zimbabwe-visa-waiver), 'So Near and Yet So Far: 90-Day Zimbabwe Visa Waiver', *Refugee Aid Organisation*, August 2009, <http://www.ngopulse.org/article/so-near-and-yet-so-far-90-day-zimbabwe-visa-waiver>.

be issued under the Immigration Act, thus allowing the UNHCR to abdicate its role to the South African state.<sup>286</sup>

### **Factors Underlying the Xenophobic Violence that began May 11 2008**

Zimbabwe's crisis generated a huge and fast influx of Zimbabweans into South Africa, as well as other countries such as Zambia, Botswana, Mozambique and the United Kingdom<sup>287</sup>. By October 2004, it was estimated that 25-30% of Zimbabwe's population had left the country. Very few attempted to apply for asylum, with fewer still granted refugee status. In 2005, the Department of Home Affairs calculated that 114 Zimbabweans had been granted refugee status while 15,978 applications for asylum were pending.<sup>288</sup> In 2005, 97,433 Zimbabweans were deported compared with 72,112 in 2004. In late July 2006 it was reported that South Africa had deported more than 51,000 illegal Zimbabwean migrants between January and June.

In a September 2008 article for the Olof Palme International Centre website, SALO focused on the debate around the causes of the violence. These causes include:

- Lack of understanding of external aggression faced by migrants and refugees;
- The peculiar nature of apartheid in engendering stereotypes based on racial exclusion of others;
- The dehumanisation of others that was a key part of the apartheid socialization process
- Confusion about the nationality of refugees;
- Not understanding the human rights situations of other countries, the reasons why people have left and a general lack of knowledge;
- The culture of generalised violence;
- Lack of adequate information on the humanitarian catastrophes in countries of origin;
- Global recessionary conditions inducing competition for resources;
- The denial of social and economic rights and the slow delivery pace; and
- Media propagation of stereotypes

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<sup>286</sup> Medicins Sans Frontieres, *No Refuge, Access denied ...* p 9.

<sup>287</sup> Press Statement, **South African Migration Project, Queen's University, Kingston, Ontario, Canada,** [www.queensu.ca/samp/press statement](http://www.queensu.ca/samp/press%20statement), September 30, 2005

<sup>288</sup> South African Department of Home Affairs, December 2005.

Although the causes of xenophobia and violent behaviour in South Africa are complex and deeply rooted there is wide consensus that government's long-term refusal to fully acknowledge the plight of Zimbabweans fleeing their homeland in search of a means of survival, and the potential implications of this situation for South Africa's own national security, are among the key underlying factors that have helped stoke xenophobic sentiments. The South African state has failed to develop an adequate national policy in response to the Zimbabwean influx.

This failure, as a report compiled by the Wits Forced Migration Studies Programme argues, has been rooted in "South Africa's ... role in mediating the political crisis within Zimbabwe,"<sup>289</sup> and responses to the migrant crisis should have been "designed to complement rather than undermine South Africa's supportive role in reconciling and reconstructing Zimbabwe". The xenophobic attacks were, the report opined, "as much the result of the lack of responses to the migration flow as to the migration itself." The plans and programmes South Africa does have are largely unimplemented or ineffectual. For example, all unaccompanied minors, regardless of their status, are supposed to receive assistance but the programme which should be helping thousands of such children has not been implemented.<sup>290</sup>

Up to one third of the migrants who manage to survive (and probably also support families in Zimbabwe) through various forms of low-skilled self-employment or possibly crime, have, the report notes, education or skills much in demand in South Africa, yet there has been no serious attempt to audit their skills and facilitate their participation in the formal economy.

Most relevant to the xenophobic violence, there has been an inadequate humanitarian response to the ever-increasing influx of desperate Zimbabweans as the crisis in their homeland has deepened:

*"There are currently no dedicated humanitarian services for Zimbabweans, access to mainstream housing, health care and emergency welfare services (such as the Social Relief of Distress grant) is limited, and non-governmental humanitarian responses are insufficient."*

The Forced Migration Project's report warned that the implications of this lack of basic humanitarian assistance include "increased homelessness and overcrowded accommodation, with their concomitant social, public health and infrastructural impacts" and the "potential increase of survival crime" - both of which have clearly had a direct impact on stoking xenophobic attitudes.

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<sup>11</sup> Tara Polzer, *Responding to Zimbabwean Migration to South Africa - Evaluating Options*. Johannesburg: Wits Forced Migration Studies Programme, Wits Law School and Lawyers for Human Rights, 2007.

<sup>290</sup> See Human Rights Watch (main author, Norma Kriger), *Unprotected Migrants: Zimbabweans in South Africa's Limpopo Province*, New York: HRW, July 2006, for recommendations including a housing policy for all farm workers (the largest category of employment for Zimbabweans in that area), and a new policy to "address the lack of status of the large group of undocumented Zimbabwean migrants."

The report concludes:

*“If four million undocumented foreigners continue to be barred from participating in South African society — in the absence of any public policy which explains both their plight and value — then any success they do enjoy will inevitably be seen as an injustice by South Africans living in worse circumstances.”*

Voices within both the ANC and the South African government at all levels for several years sent out a message of firm solidarity and sympathy with Mugabe. A perceived lack of sympathy for the suffering of ordinary people in Zimbabwe, Pretoria’s reluctance to publicly criticise an increasingly brutal and violent regime, and the related refusal to acknowledge the potentially dangerous consequences of not dealing with the increasing flow of desperate migrants were mirrored in the callous and uncaring attitude that has been all too common among officials of the Department of Home Affairs and the South African Police. These are the official responses: they do not include the *guma-gumas* (thugs) who welcome Zimbabwean women after they cross the Limpopo with rape, to such an extent that since April 2009 the MSF has had to set up a new clinic in Musina for survivors of sexual and gender-based violence.<sup>291</sup>

Solidarity and human rights focused civil society organisations working on refugee and asylum seekers issues in South Africa have engaged extensively with the Department of Home Affairs (DHA). When two Zimbabwean detainees at the Lindela deportation facility died in July 2005 the Minister of Home Affairs appointed a Committee of Enquiry into conditions at Lindela. The report was published by the Minister and the implementation of its recommendations began almost immediately. However many problems remain, and conditions at the facility remain the focus of severe criticism and discontent.

A report presented to the Portfolio Committee in 2005 by the ZSF led to further meetings at which the incoming Minister of Home Affairs, Nosiviwe Mapisa-Nqakula, expressed an interest in working closely with civic groups. As part of this engagement Lawyers for Human Rights (LHR), together with several interested organisations, responded by commissioning a study of Zimbabwean asylum seekers and refugees living in South Africa. The survey that formed the basis of the report was carried out from January to March 2006.

The report’s executive summary noted that:

*“There have been numerous reports of the hostile reception that Zimbabwean exiles experience in South Africa. They include unlawful detention, arrest and extortion of asylum seekers (with and without legal papers entitling them to be in South Africa); assaults and ill-treatment of arrested persons and serious overcrowding, lack of timely medical attention and unsanitary conditions at the Lindela deportation facility as well as the inability of the Department of Home Affairs to process applications in a timely fashion.”*

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<sup>291</sup> Medecins Sans Frontieres, *No Refuge, Access denied ...* p. 14.



The report concludes:

*“Although there is a fairly acceptable measure of legal and policy protective mechanisms for the protection of refugees and asylum seekers in South Africa, there is a serious lack of coherence in the government’s implementation of these policies. Ineffectiveness can be attributed to negative social attitudes towards the influx of Zimbabweans, which has caused inconsistency and general insensitivity amongst SAPS and DHA officials in dealing with foreigners in general and Zimbabweans in particular seeking refuge in South Africa.”<sup>292</sup>*

The survey provides evidence that Zimbabwean asylum seekers and refugees have been detained illegally at Lindela repatriation centre and at other similar facilities, deported (and in the case of refugees refouled back to Zimbabwe.)

The deepening economic crisis and increased political repression in Zimbabwe after the March and June 2008 elections led to ever-greater flows of Zimbabweans into neighbouring countries. In June 2008 the UNHCR noted that a new trend was evident: whole families, many bearing injuries and in desperate need of humanitarian assistance, were fleeing into South Africa. Despite this, South Africa continued with deportations, prompting the UNHCR to publicly call on Pretoria to desist until the crisis in Zimbabwe had been resolved.

The DHA reportedly responded promptly with plans for a special dispensation for illegal migrants. Minister Nosiviwe Mapisa-Nqakula was quoted as commenting at a Durban meeting of regional security, defence and home affairs ministers:

*“I cannot continue blindly to behave as though nothing is happening across the Limpopo. ... I am not dumb. We can all appreciate the political and economic situation in Zimbabwe ... I mean we have seen pictures of people who have been beaten up, women who have been burnt. I don't want to attribute the violence to a particular group of people or the state ... there could be intra-party violence. It doesn't matter, but the point is that there is clear violence.”<sup>293</sup>*

### **Economic Gains and Losses**

According to Jayendra Naidoo, executive chair of the J&J Group, Macquarie First South’s economists have “run the numbers” on Zimbabwe’s impact on South Africa’s economy. Three of the negative effects he identifies are the loss of exports to Zimbabwe, the damage caused to international investor confidence: and the impact of economic migrants on South Africa’s own high unemployment rate.

It has been estimated that the Zimbabwean economy is 40% smaller than it was in 1999. (It is about the size of Bloemfontein’s, according to Zimbabwean economist John Robertson.) South Africa is its biggest trading partner, supplying 40% of its imports and receiving 25% in

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<sup>292</sup> Lawyers for Human Rights, Crisis in Zimbabwe Coalition and the Centre for the Study of Violence and Reconciliation, *The Documented Experiences of Refugees, Deportees and Asylum Seekers in South Africa: A Zimbabwean Case Study*. A Written Submission For Presentation To The Minister Of Home Affairs April 2006 Johannesburg, South Africa.

<sup>293</sup> Angela Quintal, ‘Home Affairs in about-turn on Zimbabwe refugees’, *Star*, July 24 2008.

exports. It is estimated that the value of “lost” exports from South Africa to Zimbabwe is approximately R22 billion. This has resulted in a total loss in GDP of R46 billion in 2008. The cumulative effect over the decade is larger, and if the crisis continues for years ahead, the costs will continue to grow.

Negative international sentiment is damaging the South African economy. Perceived political risk attached to the Zimbabwean situation has “had a big impact on South Africa, especially taking into account the current account deficit and the tough global financial environment. Investors in South African bonds and equities calculate the negative consequences on South Africa in terms of employment, growth and social stability”. With regard to unemployment, Naidoo claims that if only a third of the jobs currently held by Zimbabweans were to be taken by South Africans, unemployment in South Africa would drop from the current rate of 23% to around 16%.<sup>294</sup>

Some analysts believe that the crisis in Zimbabwe has affected the value of the Rand. While on the one hand this could be seen as a negative impact, it should be remembered that a low rand can increase exports. Many of the companies that are surviving and continuing to profit are those with South African links, maintaining production through guaranteed supplies from the south. As the value of companies, land and machinery falls, South African companies are well located to take advantage and so the share of the Zimbabwean economy owned by South African companies is probably growing.

Objectively there were potentially significant benefits to the South African economy from the crisis, though these were balanced by the reality that the Zimbabwean economy was shrinking fast and may not easily fully recover. Some economists think that the whole region’s economy is suffering, and will continue to perform at sub-optimal levels, failing to attract needed investment, for as long as the crisis continues. However, the general view within business is that the crisis will not last forever and that Zimbabwe has maintained sound foundations, including infrastructure and skills. On balance Zimbabwe is still seen as an economic opportunity rather than a long-term threat.

But government was cautious, as the then Reserve Bank Governor Tito Mboweni’s remarks demonstrated. He said that any economic integration in SADC was contingent on common economic policies throughout the region. Without it, he said, integration “was a pipe dream”.

### **Crime: Organised and Otherwise**

There is a false but widely-held perception that foreigners are responsible for most crime in South Africa. This belief was one of the driving forces of the wave of xenophobic violence in May 2008. To be sure, as Chris Maroleng indicates, there have been cases of former Zimbabwean army personnel being involved in specialised crimes, such as cash-in-transit heists and bank robberies. This is an issue of concern that will require further research.

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<sup>294</sup> Jayendra Naidoo, ‘Picking up a crippling tab for Zimbabwean crisis’, *Sunday Times*, May 11, 2008.

The emergence of civilian-led border patrol units accused of taking the law into their own hands is of further concern. While the farmers claim they are legitimately defending their properties against illegal trespassers, images of white farmers rounding up Zimbabweans along the border do little to enhance the image of South Africa on the continent and internationally. With huge influxes across the border and the general disdain in which these refugees are held by officials and farmers alike, the human rights of these refugees are easily violated and will continue to be so.

Given these severe problems, it is wise to remember the June 2007 words of H. E. Lodewijk Briet, Ambassador of the European Commission, Pretoria. When he opened the CWCI/SALO workshop on governance challenges in Southern Africa he emphasised the EU's understanding of South Africa's difficulties and its readiness to cooperate with South Africa in the search for solutions to immediate and long-term problems around Zimbabwe:

*"Ambassador Xavier Marchal [accredited to Zimbabwe] and I had recently an occasion to witness that when we visited Beit Bridge and Musina. Its fair to say ... the border is on fire. With three to five million mostly illegal migrants in South Africa in a population of 45-47 million, an enormous human challenge been posed, a burden on the state..*

*When you translate those figures, the equivalent in the Netherlands would be one and a half million on 15 million, the US would be 20-30 million on a population of 300 million. The real figure in the US is somewhere between 10 and 12 million illegal migrants. Would their system deal that much better with that kind on a number of migrants? I am not sure. So the challenge for us today is to explore what are the governance challenges in the Southern African countries mentioned, how have we as partners responded, and how can we make more progress towards a more common approach?*

*When we were in Musina we asked the superintendent of the South African police: "Are you completely overwhelmed by the flow here?" She answered "It's not correct to say that we are completely overwhelmed, we are coping, but our objective is to reduce the constant flow of border jumpers, and our key objective and our main pre-occupation is to make sure that people do not die in the process."*

## **Impact on Public Health in South Africa**

An MSF report of mid 2009 exposes a long list of problems experienced by Zimbabweans trying to utilize the South African health system. In spite of the South African Constitution guaranteeing health care access to refugees, asylum-seekers, and migrants, “in practice, the fear of arrest, deportation, and xenophobia, coupled with a lack of accurate information about their rights, has kept many Zimbabweans from accessing basic services necessary for survival.”<sup>295</sup> As a SALO research paper pointed out, there are four main areas of concern for the South African health system in general:<sup>296</sup>

- The spread of infectious diseases into the populations of neighbouring states via illegal migrants and asylum seekers from Zimbabwe, who are generally marginalised and denied protection;
- The promotion of drug-resistant strains of TB, malaria and HIV/Aids due to disrupted or inadequate treatment in Zimbabwe, and exclusion from treatment in neighbouring states;
- Increasing strain on the budgets, infrastructure and personnel of public health services and other government departments in neighbouring states; and
- The loss of regional expertise and research capacity into diseases which may affect everyone in the region.

There is no reliable information currently available on which to base an overall assessment of the extent to which the influx of illegal migrants is affecting South Africa’s health system. However, if reports about the frequent exclusion of illegal migrants and refugees from public health care are generally accurate, and taking account of concerns expressed by the WHO regarding the development of drug-resistant forms of the major diseases affecting poor people, the exclusion of illegal migrants and refugees from the health system is a far greater potential threat to the country than any strain the system might be taking from assisting those who receive do help. For example, the economic pressures forcing many migrant women to take up prostitution means an increased spread of HIV-AIDS. If – as research indicates – a significant number of ill people are denied health services, HIV-AIDS and other diseases will increase their toll.

In July 2006, Phuti Seloba, the Limpopo health spokesperson, told the South African Broadcasting Corporation that his department could not deny illegal migrants health care. Around 800 patients, most them illegal migrants, had been treated at Musina Hospital near the Beitbridge border over the past three months. Of the 20 who had passed away, only 8 were claimed by relatives, which forced the hospitals to conduct 12 pauper funerals. He complained that the growing influx of people from Zimbabwe was affecting budget planning and the number of beds occupied in the hospitals. Three years later, increasing numbers of Zimbabweans were going to South Africa for health care *alone*, given the demise of the system in their country.<sup>297</sup> Perhaps, though, the August 2009 signing of a labour migration

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<sup>295</sup> MSF, *No Refuge, Access denied ...*, p. 3.

<sup>296</sup> SALO, ‘The impact of Zanu-PF’s policies on public health in Zimbabwe and the SADC region’, July 2007.

<sup>297</sup> IRIN News, ‘Zimbabwe: Medical Migrants head South’, August 5, 2009.

agreement between Zimbabwe and South Africa, to regulate the relations between commercial farmers and their Zimbabwean labourers (including establishing a “joint technical taskforce on occupational health and safety”) indicates positive trends in such realms.<sup>298</sup>

If such an agreement is worth the paper upon which it was written, and the concord warrants the travel expenses for two cabinet ministers and their retinues to go to the International Organisation for Migration offices in Beitbridge to sign the four year accord into existence, the new configurations of labour migration and the retinue of regulatory mechanisms accompanying them may be taking on a new direction.

If not, and they remain stalled or honoured by one party only, the contrast indicated in the title of a quietly scathing *Lancet* article may well stand as the marker for Zimbabwe-South Africa relations for the first decade of the second millennium: “health and human rights versus African solidarity”<sup>299</sup> implying – hopefully wrongly – that the twain might never meet. If it does, one of the reasons will be a vibrant civil society that surfaced in South Africa a long time ago, but made its first appearance in Zimbabwe in the early stages of ZANU-PF’s demise.<sup>300</sup>

In the meantime, one wonders if the spread of Zimbabwe’s late 2008 and early 2009 cholera epidemic was the event that moved South Africa to hasten the GPA into fruition in the GNU: if so that was ‘realist’ foreign policy making at its extreme and the South African state had finally acted firmly, albeit out of self-interest. Responding to the death of a South African to the disease in November, then Minister of Health Barbara Hogan announced the deployment of National and Provincial Outbreak Response Teams to Musina. A Joint Operations Committee was established. By November 19 Cabinet discussed the matter.<sup>301</sup> By March, with 12,000 cases and 59 deaths recorded in South Africa (while over 4,200 had died in Zimbabwe) it was clear to South Africans that meltdown could spread across borders.<sup>302</sup>

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<sup>298</sup> Tupeyo Muleya, ‘Zimbabwe: Govt, SA Sign Labour Migration Agreement’, *The Herald*, August, 28 2009.

<sup>299</sup> J. Singh, ‘Zimbabwe: health and human rights versus African solidarity’, *The Lancet*, 366, 9490 (2005), pp. 964-6.

<sup>300</sup> In an August 2004 interview with David Moore, Tendai Biti – by 2009 Zimbabwe’s Minister of Finance – discussed how one of the first marches he helped lead led to a robust condemnation of Zimbabwe’s ruling class. It was in 1986, meant to mourn the untimely death of the Mozambican President, Samora Machel.

<sup>301</sup> ‘Statement by Minister of Health Barbara Hogan on the outbreak of cholera in Zimbabwe and South Africa’, Pretoria: Ministry of Health, November 26, 2008

<sup>302</sup> Agence France Presse, ‘S. Africa cholera outbreak “declining”’, Cape Town: AFP, March 9 2009. For a comprehensive survey of the cholera epidemic see Physicians for Human Rights, *Health in Ruins: A Man-Made Disaster in Zimbabwe – An Emergency Report*, Cambridge, MA: Physicians for Human Rights, January 2009. The members of the team producing this report visiting Zimbabwe from outside narrowly escaped arrest in December 2008.

## **Civil Society: South Africans and the Diaspora**

### ***South African civil society***

One of the more encouraging elements of the South African-Zimbabwean relationship over the past decade has been forging of strong bonds between 'civil societies' in the two countries. Along with the emergence of global civil society, the response from trade unions, students, the churches, and somewhat 'self-organising' coalitions responding to Zimbabwe's crisis has led to the development of a 'critical cosmopolitanism'. This new ideology and practice is not quite 'post-nationalist' because it sees the state as a potentially progressive array of institutions and clusters of actors, and it is prepared to work with political parties rather than dismiss all of their members as 'petty-bourgeois rent-seekers', but it is constructed on a critical consciousness honed by decades of disappointment with politics as usual.<sup>303</sup>

A good example of this is the Zimbabwe Solidarity Forum (ZSF), a heterogeneous network of South African civil society organisations, including youth, women, labour, faith-based, human rights and student formations cohered around the principle of solidarity with the people of Zimbabwe and engaged in the promotion of solidarity for sustainable peace, democracy and human rights that country. It is chaired by Bishop Rubin Phillip, the Anglican Bishop of KwaZulu Natal, who also chairs the Southern African Liaison Office, which played a key role in the formation of the Zimbabwe Solidarity Forum Between 2003 and mid-2005 SALO organized three civil society conferences in solidarity with the people of Zimbabwe, the third under the newly-formed umbrella group, the ZSF, which the bishop chaired.

The Third Zimbabwe Solidarity Conference rallied South African civil society in declaring the 2005 election in Zimbabwe neither free nor fair, in contrast to the official South African position. That gathering brought together hundreds of civil society groupings including the mass-based organizations linked to the ANC such as the university and school students' movements, SASCO and COSAS. It marked the significant shift in attitude in South African society that had taken place quietly during the previous few years of activism by South Africans and Zimbabweans who focused on strategic lobbying and advocacy that brought visible results. The Zimbabwe conflict was no longer an issue that divided South Africans along racial or political party lines, as the new, mainly black and ANC-based, solidarity movement demonstrated.

Cosatu has conducted some of the most visible actions in response to Zimbabwe's struggles. With close ties to the Zimbabwe Congress of Trade Unions (ZCTU), Cosatu has protested the Harare regime's treatment of workers and the poor. Some of the most publicised activities came in the run-up to the March 2005 parliamentary elections. In October 2004, and again in February 2005, delegations of Cosatu officials who went to Zimbabwe hoping to monitor the state of the country ahead of the elections were expelled from the country. Both

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<sup>303</sup> See for a debate on notions of human rights in this discourse, David Moore, 'Marxism and Marxist Intellectuals in Schizophrenic Zimbabwe: How Many Rights for Zimbabwe's Left? A Comment,' *Historical Materialism*, 12, 4 (December 2004), 409-11 and Brian Raftopoulos, 'The Zimbabwean Crisis and the Challenges for the Left', *Journal of Southern African Studies*, 32, 2 (June 2006), pp. 203-219. For the 'post-nationalist' angle see Patrick Bond and Masimba Manyana, *Zimbabwe's Plunge: Exhausted Nationalism, Neoliberalism and the Struggle for Social Justice*, Pietermaritzburg: University of Natal Press, 2002.

regional and international media covered these events, interpreting them as a direct challenge to the ANC and to the government's position on Zimbabwe.<sup>304</sup> Zimbabwe.<sup>305</sup>

Churches, too, were another important element of civil society's response to the "decade of disquieting diplomacy" regarding the Zimbabwe crisis. Bishop Rubin Phillip, who also chairs the Solidarity Peace Trust, a regional grouping of church leaders, comments:

*"Being a church leader myself I can say this: I think the churches have been a source of real disappointment by and large. That's not to say they haven't played a significant role in trying to bring change in Zimbabwe. You've had some outstanding people like the Archbishop of Bulawayo, the Catholic Archbishop, Archbishop Ncube, but he's been almost a lone voice in that country. Of course there have been others in Zimbabwe and in this country who have worked hard to play a role in contributing towards change."*

The Bishop has been selected for the 2009 Bremen International Peace Award for his work towards justice and peace. In a profile prepared for the event, a Zimbabwean priest wrote of the activist bishop: "Of all that Bishop Rubin Philip has been to Zimbabwe, no one will ever forget that at a time when the economic and political giant of Africa, South Africa, pursued a policy of quiet diplomacy towards the Government of Zimbabwe when it was killing its own people, Bishop Rubin stood out in words and actions to defy his own government demanding the right to life for Zimbabweans. No one will ever forget that when the church in Zimbabwe succumbed to the dictates of a regime that had lost any sense of the sacredness of life, and most parts of the church in South Africa sought to rationalise the suffering inflicted on a people by its government, Bishop Rubin stood up in defence of the sanctity of life. The ultimate expression of this faith in God and for God's justice saw him take his own government to court indicting them in abetting genocide if they allowed a consignment of arms of war to be delivered to Zimbabwe at a time when that government had a real appetite to kill its own people who had refused to give it a new mandate in the March 2008 elections."

Below, a brief timeline gives a clearer picture about the work of the Solidarity Peace Trust in, a regional grouping of church leaders, in building church solidarity:

- **February 2002:** Bishop Rubin sends his Suffragan Bishops on a Solidarity Mission to Zimbabwe in the wake of unprecedented state-organised violence that hit Zimbabwe after 2000; working with Network of Independent Monitors Selvan Chetty in conjunction with the KwaZulu Natal Council of Churches; he makes public the findings of the Solidarity Mission through the Diocesan Newsletter, Anglican News, and appeals to the Christians in South Africa to pray for the people of Zimbabwe;
- **October 2002:** Bishop Rubin hosts a meeting of Zimbabwean and South African Church leaders exploring the causes of politically motivated and state-sponsored

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<sup>304</sup> P Masiko, 'Zimbabwe Solidarity Forum Report, January to October 2005', Johannesburg: ZSF, 2005.

<sup>305</sup> P Masiko, 'Zimbabwe ...'

violence leading to the formation of the Solidarity Peace Trust in 2003 where he was elected co-chair with former Archbishop Pius Ncube;

- **2003:** Bishop Rubin visits Zimbabwe and listens to stories of survivors of politically motivated and state-sponsored violence in Bulawayo, travelling to rural Matebeleland as co-chair of Solidarity Peace Trust; leads a healing service for survivors of violence at the Cathedral of St Mary's in Bulawayo; raises awareness on the deterioration on human rights in Zimbabwe in the Diocese, the Anglican Church of Southern Africa and through the South African Council of Churches;
- **2004:** Writes letter to SADC heads of state meeting in Maputo expressing concern over the deteriorating human rights situation in Zimbabwe. Church leaders in Zimbabwe refuse to endorse the letter because they felt it was too strong;
- **2004:** Bishop Rubin broadens solidarity by cooperating with the Crisis Coalition and the South African Women's Prayer League, sends Mothers' Union leader of the Diocese of Natal to attend the Diocese of Manicaland Mothers' Union Annual Conference. Upon return, more stories of the deteriorating situation in Zimbabwe are told by people who had seen it first hand, thereby confirming that reports in the press are not false, but that the truth has not been told to its fullest;
- **2004:** Bishop Rubin visits Diocese of Manicaland and is guest of honour at the official opening of the Herbert Chitepo House, and delivers a sermon listened to by politicians, civil society leaders, business community and churches in Manicaland calling on Zimbabweans to seek the face of God;
- **2005:** Bishop Rubin launches the video 'Operation Drive Out Filth' and the subsequent video following the stories of the people who had been victims of OM. He calls on Zimbabwean authorities to treat their people in a human way and bemoans SA's failure to speak in defence of the oppressed in Zimbabwe;
- **2005:** Bishop Rubin issues the single church statement decrying the arrest and harassment of Church Leaders in Zimbabwe who had been looking after the victims of OM. He launches more videos on the Operation *Murambatsvina* and reports on the effect on Operation *Murambatsvina* on the ordinary people in Zimbabwe;
- **2006 to 2007:** Bishop Rubin launches 6 videos and reports on the deteriorating situation in Zimbabwe, insisting that not enough was being done by the government of South Africa to avert the crisis, but that SA was aiding and abetting the regime of Robert Mugabe;
- **2008:** Bishop Rubin calls attention to the forthcoming elections in Zimbabwe and sets up publicity and prayer events across the Diocese of Natal; a 4 month prayer vigil was set up in Pietermaritzburg, a prayer meeting was set up in Durban, he sent out a Solidarity Mission to monitor the March Elections;
- **The rest of 2008** Bishop Rubin hosted several civil society and church leaders who had to flee their Zimbabwe due to post election violence, assisting with their medication, recuperation and temporary refuge."



According to some church activists, the divisions in the Zimbabwean churches have discouraged decisive action by clergymen and women in other countries. British Professor Terence Ranger, deported from Rhodesia by the white minority regime in the early sixties and remaining committed to the country and the University of Zimbabwe, had this to say about these divisions:<sup>306</sup>

*“Zimbabwe is one of the most Christian countries in the world. 90% define themselves as Christians; there are almost no black Muslims, Jews or Hindus. This means that there are Christians on all sides and in all political parties. As the April 5 2007 Pastoral Letter of the Zimbabwe Catholic Bishops’ Conference – God Hears the Cry of the Oppressed – puts it:*

*‘In Zimbabwe today there are Christians on all sides of the conflict; and there are many Christians sitting on the fence. Active members of our Parish and Pastoral Councils are prominent officials at all levels of the ruling party. Equally distinguished and committed office-bearers of the opposition parties actively support church activities in every parish and diocese. They all profess their loyalty to the same Church. They are all baptised, sit and pray together in the same church, take part in the same celebration of the Eucharist and partake of the same Body and Blood of Christ. While the next day, outside the church, a few steps away, Christian state agents, policemen and soldiers assault and beat peaceful, unarmed demonstrators and torture detainees.’ ”*

The South African Council of Churches (SACC) is another civil society grouping that has carried out a series of high-profile activities aimed at influencing South African policy on Zimbabwe. As with Cosatu, the SACC has strong historical links with its counterpart in Zimbabwe, the Zimbabwe Council of Churches. Among the best publicised of its activities was a letter sent to President Mbeki in February 2004 urging him to put pressure on the MDC and ZANU-PF to renew negotiations, an action that followed a year of efforts by the churches.<sup>307</sup>

The SACC was to have led a group of six South African civil society organisations, including the Catholic Bishops Conference, the Institute for Justice and Reconciliation and the Centre for Policy Studies, on an observer mission to Zimbabwe. However, the Mugabe regime denied them observer status. On March 28, SACC’s general secretary Molefe Tsele was refused permission to enter Zimbabwe at the Beitbridge border post. He was invited by Zimbabwe Council of Churches to participate in an ecumenical delegation observing the March 31 election. Tsele was accompanied by Abie Ditlhake, general secretary of the SADC NGO Council, who was also turned away. Their names did not appear on the government’s list of accredited election observers. SAAC’s final statement on the election, written in co-operation with other civil society groups, had this to say:<sup>308</sup>

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<sup>306</sup> In a Christchurch Cathedral talk in August 2007 on the church in Zimbabwe.

<sup>307</sup> IRIN (United Nations Integrated Regional Information Network) ‘Clerical task team to kick-start talks’. March 2, 2004.

<sup>308</sup> South African Council of Churches, the Southern African Catholic Bishops’ Conference, SANGOCO, IDASA, the Centre for Policy Studies and the Institute for Justice and Reconciliation, *Statement of the Zimbabwe Observer Consortium*, April 7, 2005, <http://www.sacc.org.za/news05/zimobcon.html>.

*“Based on the present evidence and analysis of the SADC guidelines, the coalition cannot pronounce the elections as being free and fair without qualification. We particularly regard as morally questionable the pronouncement by the South African Observer Mission that primarily due to the peaceful climate that prevailed during the elections, the elections are necessarily free and fair.”*

In July 2005, a SACC delegation visited Zimbabwe to assess the impact of Operation *Murambatsvina* and was sharply critical of the Zimbabwean government.<sup>309</sup> Following this trip, the SACC met with Thabo Mbeki to express its concern over the operation. At this meeting, Mbeki expressed support for a humanitarian relief campaign which the SACC subsequently launched (but which was frustrated by the Zimbabwean authorities). Following a second trip to Zimbabwe, the SACC met again with Mbeki and other high-ranking members of the South African government, reportedly expressing concern over the proposal to help Zimbabwe pay off its loan from the IMF. They reported that the President was trying his best to resolve the situation in Zimbabwe and that ‘there was a lot going on that people did not know about, given the nature of diplomacy’.<sup>310</sup>

It is clear that civil society in South Africa thought that the South African government and other African and international governments, agencies and even civil society itself were not doing enough to push for Zimbabwe’s transformation. More could have been done to expose human rights abuses, isolate the Zimbabwean government internationally, and signal that the regime would not be sustained by active economic support. The call was, generally, for more solidarity and a better articulated strategy, principled in its acknowledgement and condemnation of the human suffering in Zimbabwe.

Tim Hughes highlighted the important role civil society played in relation to the crisis:

*“Civil society was quite effective, to some significant degree. Moreover it’s been a great disseminator of information ... that’s credible, intelligible and intelligent; and it’s been quite balanced in its positions; often civil society is able to go back to its own roots of credibility and struggle credentials - be it membership of the party, the UDF, or progressive formations - and to say: ‘we’re uncomfortable about Zimbabwe’. This is not an attack on the ANC, this is not an attack on the government, but is actually a pro-Zimbabwe position entirely in accordance and consistent with the very same values for which they prosecuted the liberation struggle in South Africa. They are predicated on the exact same values of justice, of equality, of freedom, and the rejection of brutality and violence and the rejection of oligarch tyranny, and that’s perfectly legitimate.”*<sup>311</sup>

On the other hand, Bishop Rubin Philip believes that more could have been and can be done, but points out some of the factors reducing civil society’s potential influence:

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<sup>309</sup> See also Maurice Vambe, ed., *The Hidden Dimensions of Operation Murambatsvina in Zimbabwe*, Harare & Pretoria: Weaver Press & African Institute of South Africa, 2008.

<sup>310</sup> ‘SA church leaders return to Zim’, *Mail and Guardian*, July 18, 2005.

<sup>311</sup> Tim Hughes, interview with SALO, July 2007

*"Quite frankly I don't think civil society did enough to address the Zimbabwe problem, for a number of reasons. One is our government, the South African government, gave mixed signals about how to address the problem there. We had the policy of constructive engagement or quiet diplomacy, so civil society felt that they had to allow the Mbeki government to take the lead.*

*The second is, possibly, opposition politics in Zimbabwe was so muddled and confused - one could say in a state of disarray – so people didn't have any lead from Zimbabwean opposition parties. Thirdly there is just general apathy, no longer a kind of activist mindset that says we need to participate in the transformation of the Zimbabwean situation. We have very short memories. We forget there was a time when our friends in Zimbabwe stood alongside us and we owe it to the country to be doing the same."*

As well, there were tensions within the South African ANC-led Alliance over the Zimbabwe crisis. While the ANC walked the quiet diplomacy tightrope, condemnation of labour and human rights abuses from COSATU and the SACP was more forthright. It is little known and appreciated that that COSATU and the SACP had quiet support from their Alliance partner for this stance. This fuelled the view that COSATU and the SACP took a principled stand while the government and the ANC did not. Those close to the processes in which the government was involved in seeking a solution question this assessment.

The SACP attempted to develop a more nuanced analysis of the situation, pointing to the political blockages on both sides of the political spectrum:

*"Part of the current political stalemate in Zimbabwe is to be found in the mutual deafness of the paradigms. We have a nationalist discourse that elides real internal [national] class contradictions, externalising the current contradiction into a Zimbabwean nation [as represented by ZANU-PF and its leading cadre] versus imperialism [the British and their local puppets]. On the other hand we have a universalising democratic discourse that portrays the Zimbabwean people as victims of an authoritarian-nationalist system that is out of step with 'international' values. The former discourse tends to ground a politics of active and often repressive intervention to safeguard 'national sovereignty' against 'treachery'. The latter discourse tends to ground a politics of 'expectant electoralism', of 'victimhood', and of international lobbying in the hope that external forces will somehow bring about conditions conducive to free and fair elections".<sup>312</sup>*

A later SACP document was harsher. It was produced later in the year, after a COSATU delegation visiting Zimbabwe on a solidarity mission with the Zimbabwean Congress of Trade Unions was expelled. Its analysis explained that:

*". . . [T]he crisis [is]. . . rooted in . . . the class force dominant in the leadership echelons of the ruling party. [It]. . . is a bureaucratic capitalist class reliant on its monopoly of the state machinery for its own social reproduction . . . [It] is unable to provide a coherent and hegemonic strategic leadership capable of beginning to*

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<sup>312</sup> SACP Central Committee, 'Report on SACP Fact-Finding Mission to Zimbabwe ( December 8-12, 2003 ), 7<sup>th</sup> Plenary Session, February, 13-14, 2004.

*address Zimbabwe's political, moral, economic and social crisis. Indeed . . . it thrives . . . in conditions of crisis, using its access to state power for land grabs, and currency and other speculative activities. It . . . use[s] state power as . . . insulation against the terrible impact the crisis is having on most other strata. But, unlike other fractions of the bourgeoisie, it is also incapable of surrendering direct control over state power. This double-bind, an inability to constructively and strategically use political leadership on the one hand, and an inability to cede some bureaucratic dominance, on the other, lies at the heart of the present blockage".*<sup>313</sup>

This may have been scrutiny based in the dicta of the 'national democratic revolution', but was more critical than the one offered three years earlier by the author of 'How Will Zimbabwe Defeat Its Enemies?'<sup>314</sup>

### ***The Organised Zimbabwean Diaspora in South Africa***

The prolonged nature of the crisis in Zimbabwe and the accompanying migratory settlement led to the emergence of a number of Zimbabwean and joint South African/Zimbabwean organisations, ranging from those focused on lobbying and advocacy, those building support for campaigns and those working to alleviate the conditions faced by fellow exiled Zimbabweans. Most had an explicit political agenda, depending on the circumstances of individuals involved. Nonetheless there were few if any seeking to preserve the *status quo*. Most cohered around a demand for President Mugabe to go, or favoured an agreed transformation process creating the climate for free and fair elections. However that unifying factor belied significant divergence over policy, strategy and tactics.

SALO carried out a range of interviews with Zimbabwean diaspora groups during 2007/8, organising various interactions, including a round table discussion and workshops. A number of themes emerged from these, enabling an understanding of common ground and disagreement in this diasporic civil society.

In terms of analysing the situation in Zimbabwe they agreed broadly that:

- Mugabe was not legitimately elected in 2005; those elections were held after a period of intense repression and the creation of a climate of fear in the rural areas. Whilst some observers claimed that the elections "represented the will of the people", this view is predominately criticised as being disingenuous. The overwhelming view of Zimbabweans was that Mugabe subverted the election process to ensure he retained power;
- The elections held in 2008 were seen as similarly illegitimate;
- The regime is very repressive, not tolerant of opposition or protest action. It is capable of vicious acts such as *Operation Murambatsvina*. There is little hope of an opposition party gaining power through democratic means. Nevertheless many Zimbabweans have strongly supported demands for free and fair elections in the expectation that Mugabe and ZANU-PF could be defeated. At a round table one Zimbabwean supporter described

<sup>313</sup> South African Communist Party (SACP), "Zimbabwe - Let's Keep Focused," *Umsebenzi Online*, November 3, 2004.

<sup>314</sup> See the discussion in the introduction.

how the mass of the people were hostile to ZANU-PF and that it would be impossible for Mugabe to win a fair election. All that is needed is for the elections to be free and fair, however difficult that might be;

- Within the Zimbabwean community there was concern over human rights abuses against perceived opponents of ZANU-PF that have been well documented and even – in the case of some MDC leaders – televised;
- There was also anger and frustration at the lack of international action to stop the abuse. The Mbeki Government was criticised for not speaking out clearly enough against abuse and so shielding the regime from pressure to act differently; and
- Another concern was over the way that the crisis was being treated. Elinor Sisulu and her co-authors documented the extent of the exodus from Zimbabwe at various times, in particular the large numbers of desperate people crossing the border on a daily basis.<sup>315</sup> There was a widespread belief that, partly because of a perceived failure within the South African government to recognise the Zimbabwe crisis as being serious, and partly due to incapacity in the Department of Home Affairs, people coming to South Africa were treated badly and returned to Zimbabwe. Zimbabweans in South Africa called clearly for better treatment by the government.

These were broad areas of agreement, including detailed suggestions and demands that could be captured. On other matters there was no such unanimity.

The Zimbabwean diaspora was divided significantly by the issue of forced “regime change” or intervention by outside governments. The range of options considered included sanctions targeted at individuals linked to ZANU-PF and those known to have committed human rights abuses, economic sanctions, isolation and public condemnation, and the pursuit of international legal options to hold perpetrators of abuse accountable.

Various views were expressed on the idea of mass struggle as a means of achieving a breakthrough. Perhaps a majority thought that mass action inside the country would increase, but that it would be met with increased repression. The general view was that greater support was needed for those involved in mass action. There was strong approval for the Cosatu campaign in support of the ZCTU, but it was felt that more could have been done to support civil society as it attempted, bravely but often ineffectually, to combat the regime’s worst excesses. The ZSF made the case for strengthening civil society, arguing that the South African government could have opened up opportunities for civil society to engage.

There were very clear differences on the issue of mediation and whether the Mbeki government had been an honest broker in the process. Many Zimbabweans held the

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<sup>315</sup> Elinor Sisulu, Bheki Moyo, and Nkosinathi Tshuma, ‘The Zimbabwean community in South Africa’, Johannesburg: Zimbabwe Solidarity Forum, 2007.

perception that the ANC supported ZANU-PF, that (former) President Mbeki supported Mugabe, and that there was little chance of this changing.<sup>316</sup>

Many also expressed the belief that the mediation efforts were unlikely to succeed. They felt the South African government's and SADC's refusal to utilise any form of pressure or "stick" was problematic. Discussions on the form of the stick ranged from "smart sanctions" aimed at the ZANU-PF leadership, to more robust forms such as reducing electricity supplies. Most believed that a more critical and public position on the regime's behaviour would have been helpful.

To reiterate, the objectives of Zimbabweans in South Africa vary. Some supported one of the MDC groupings and focused on creating conditions for elections and then holding elections as soon as possible. Some believed that the constitution was the most important element of the situation, and should have been changed as part of a negotiated settlement, rather than focusing on elections. Some believed that the removal of Mugabe would create the space for a settlement. Many different tactical approaches were discussed, entailing considerable differences in the order in which changes should occur. A best-case scenario was articulated by Zimbabwean academic and civic leader Professor Brian Raftopoulos:

*"The best outcome from this option would be a rapid de-escalation of state violence, creation of a new, popularly accepted constitution, and the establishment of conditions for free and fair elections, leading to the formation a new, legitimate government that will begin the long process of economic and political reconstruction in Zimbabwe".*

However there was very little expectation that President Mugabe would allow such a scenario to unfold. Up to late 2009 there was little change.

The Zimbabwe community may not be a coherent or strategic grouping in relation to policy formation, but they represent a powerful voice of moral concern that will increasingly be heard. This is a community that in the current and projected circumstances will grow, and will be increasingly difficult for the South African government to deal with, either in practical terms on the border or in the dialogue taking place on the future of the country.

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<sup>316</sup> This roundtable was 'pre-Polokwane' so no discussion of a new ANC leadership was entertained.

## Chapter 5: The Driving Forces in South Africa's Zimbabwe Policy Formulation

A number of factors have combined to create a context making the Zimbabwean situation a concern to the entire region and the African continent as a whole. They include the migration of Zimbabweans away from economic hardship and repression, the curtailment of investment opportunities, the current and future economic threats to the realisation of the SADC-led regionalisation projects, the undermining of the NEPAD initiative, the blurring of the vision of the democratic project forming the basis of the African Renaissance and the negative perceptions of Africa that are perpetuated by media reports of the crisis. When these factors combine with the security threats posed by an increasingly unstable and highly militarised society, it is clear that the Zimbabwean crisis has increasingly become a cross-continental cause for alarm.

It would seem that any powerful country in the continent – but especially in the region – would see it in its interests to facilitate a lasting solution to such a problem. However, there are a range of factors militating against regional bodies and neighbouring states taking action to avert a deepening of the Zimbabwean crisis. They include:

- ***The principles of non-interference and respect for national sovereignty.*** These are linked to anti-imperialist sentiments and the importance of not undermining the overall rolling back of empire in Africa. The continuation of the anti-colonial struggle is an important policy driver, and one that is generally supported throughout the region and continent. There would be little support for political parties or movements seen to be facilitating a return to colonial or neo-colonial rule. Even though accusations of this sort tend to be illusory and forgetful of the past – a quick investigation of ZANU-PF's history, for example, would soon reveal lots of 'imperialist' connections<sup>317</sup> - their ideological impact is important.
- ***Solidarity between the leaders of African states.*** Solidarity tends to be strengthened in response to Northern nations' interventionist calls, whose claim to moral authority is easily dismissed due to Africa's colonial experiences and the militarist "regime change" interventions in places such as Iraq. However, divisions in SADC countries emerged during the decade on the extent to which these principles should stall effective action to defuse the Zimbabwean crisis before it threatened regional security seriously.
- ***Profit-driven self interest.*** This is fuelled by speculative economic gains accrued while the crisis in Zimbabwe continues. While the official foreign exchange rate was maintained, quick gains could be made in the parallel money markets. With dollarisation, however, those who engage in illegal economic activities are more

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<sup>317</sup> David Moore, 'ZANU-PF and the Ghosts of Foreign Funding,' *Review of African Political Economy*, 103 (March 2005), pp. 156-62.

likely to be involved in illegal gold and diamond mining, using state force to carve their niches in those segments of the economy.

- ***Legitimate security concerns.*** The regional policy makers fear that certain types of intervention could exacerbate the tenuous security situation in Zimbabwe. This has yet to reach levels of open civil war despite high levels of violence perpetrated by the state, but the extreme instances of repression between the March 2008 elections and the single man 'run-off' in June were considered to be one component of the push toward the Global Political Agreement.
- ***Reluctance to take decisive action.*** In some cases, leaders avoid making decisive choices regarding other polities to avoid scrutiny and criticism of their own domestic practices.

There are several economic and political pressures inside Zimbabwe pushing for change. Opportunities that will arise through a positive outcome to the crisis provide a similar set of pull factors. The GPA and GNU may have opened some of them up while also indicating to some forces that they must prepare for 'desperate measures' to preserve their share of a pie that seems to be both shrinking and in danger of being taken off their plate. In combination it is these elements, summarised below, that inform and influence South African foreign policy.

### **Threats**

- ***The deepening economic crisis creates further insecurity.*** The laws of supply and demand have eliminated the effectiveness of price fixing and have driven inflation down: with dollarisation in place an interregnum with some economic stability has been created. When a post-GNU regime is in place, a new Zimbabwean currency may be instated. However, relationships of patronage, rent-seeking opportunities, and the absence of economic barriers to entry make the nation's resources increasingly vulnerable to external and internal exploitation. The 'diamond wars', exhibiting signs of 'warlordism', are an example of this.
- ***An absence of decisive leadership from African leaders and institutions creates a vacuum that takes the agreement backwards.*** If SADC leaders remain unable to provide a decisive way forward they will set dangerous precedents accommodating violence and repression. The forthcoming period in Zimbabwe is likely to be increasingly volatile and unpredictable in the knowledge that there are unlikely to be any immediate repercussions for acts such as those carried out by ZANU-PF during May and June 2008. The resurgence of state sponsored and mercenary violence could exacerbate a climate of fear that undermines the security of the region.
- ***The militarised state is opposed to shifting power.*** There can be no solution without unlocking the ZANU PF system of political patronage and military involvement in the



organs of state power and resource exploitative economic ventures. The blurring of boundaries between the state and the military and the intertwined system of patronage characterising Zimbabwean political economy remain critical obstacles to the resolution of its multiple crises.

- ***Divisions between stakeholders reduce the effectiveness of their respective policies.*** The Zimbabwean crisis has led to much difficulty and division among policy makers, ranging from bilateral relations between Zimbabwe and South Africa to those of SADC, the continent, and the world. The manner in which statements by Western leaders are used to bolster the anti-imperialist rhetoric of President Mugabe limits the ability of African institutions to act decisively. Building consensus with Zimbabwean non-state institutions and policy makers outside the country could help counter this.
- ***The absence of any strong authority behind the agreement.*** Whilst the GNU marks a significant shift in Zimbabwean politics, it seems that it will need outside assistance to move it, and Zimbabwe as a whole, forward. Much of its effectiveness is dependent on whether the political parties will be able to create the climate of trust and respect that will be necessary to make the transitional government work so that it will lay the groundwork for a new constitution and free and fair elections.
- ***A rise in discontent and resistance.*** If violent repression continues under the ambit of the GNU, this factor, coupled with the devastating effects of a failed formal economy, may lead to a hardening of resistance and the potential for reciprocal violence. Even more likely is a 'civil war' within ZANU-PF.
- ***Undermining regional and continental institutions.*** The fragile institutions of post-colonial Africa are under close local and international scrutiny. If they are unable to respond effectively to the latest series of events the international community will be under pressure to act independently of African leaders despite the negative effect on governance and democracy on the continent in the long term.

To these threats can be added the Zimbabwean state's increases in arms acquisitions, an extensive and violent youth militia, a powerful group of ex-combatants and state security personnel highly dependent on the ZANU-PF party-state, the emergence of violent and illegal attempts to control lucrative resources, and an uncomfortable confluence of interests between Zimbabwean, British, European, Chinese, South African and other international business entrepreneurs within the region. These pressures will combine with new ones arising as a result of the crisis deepening. The Zimbabwean situation will be highly volatile and dangerous.

### **Finding a Solution: Opportunities and Challenges**

The challenge for policy makers, and for those attempting to influence them, is finding the balance between drawing attention to the consequences of allowing the crisis to deepen while acting with urgency and sensitivity to find solutions. Simultaneously, policy for South Africa needs to be driven by a set of interests including the following considerations.

- ***Stability in the region:*** An unstable neighbour poses a range of potential dangers to South Africa, including an uncontrollable flow of refugees, the complete collapse of trade, social instability in the border areas, and the increasing direct costs of managing the crisis. Many of these dangers have already progressed from potential to actual threats, although many others have been stayed by the GNU.
- ***Building long-term relationships:*** South Africa cannot antagonize significant sections of the Zimbabwean people, nor member states of the African Union and the international community. Yet policy needs to be based on clearly articulated principles that maintain relations with the ruling party's progressive mass base.
- ***Protecting South African economic interests:*** the goal will be to retain and expand South Africa's close ties with the Zimbabwean economy. Their diverse and complex nature will not make it easy to see how these interests can best be served. For example there are still large profits to be made, especially in the mining sector, so firms currently investing in Zimbabwe are not rushing to sell up – indeed, there are deals being made now. The import - export relations between the two countries add further complexities to economic issues.
- ***Asserting African independence:*** The idea of the continuation of the anti-colonial struggle is generally supported throughout the region and continent, so is an important policy driver. The need for Africa to develop its own systems, structures and processes to respond to its challenges remains important.
- ***Advancing the liberation struggle:*** It will be important to maintain South Africa's political influence in the region, in Africa and globally. Political influence is only partly based on economics as it includes providing appropriate leadership on key strategic issues. The strategy to pursue this interest includes achieving greater levels of unity on economic, political and social issues through African and other South-South partnerships, and mobilising allies to engage the G8 countries in particular.
- ***Managing the exodus of Zimbabweans:*** The growing number of Zimbabweans in the country, particularly destitute refugees, is a major concern. This needs to be managed in a way that does not undermine efforts to deliver services and that meets the constitutional obligations of the state towards those who live in it. The humanitarian obligations of the leading regional economy form part of the required response.

Pressure at local level and a history of xenophobia increase the potential of this migration to threaten internal stability.

- ***Promoting investment in Southern Africa and Africa:*** One of the key aims of SADC and NEPAD has been to promote inward investment. Principles of democracy, the rule of law, civil liberties, and property rights, in addition to being important development objectives, are intended to create conditions for stable economic growth, and in thus facilitate investment. The Zimbabwean crisis has affected global perceptions about the region. The international press makes little distinction between countries in the region, thus when a significant proportion of press coverage is devoted to Zimbabwe, the region as a whole is viewed through that lens. It will be important to avoid a situation where the region suffers over an extensive period because of the Zimbabwe crisis. Ongoing inward investment will be reduced.

### ***Future Policy Options and Strategic Interventions for South Africa***

In formulating policies adequately addressing the push and pull factors discussed in the previous section, multi-faceted and mutually reinforcing strategies are required. At time these may appear to contradict. We need to acknowledge that there are inherent tensions between different strands of policy in relation to Zimbabwe.

It should be clear that even with the formation of the GNU, Zimbabwe's problems – and the problems of creating a foreign policy that will hasten their solution – are far from over. The fact that there is a new administration in the South African state may facilitate the construction of a 'new' policy. One part of that process of creating a revised policy is to recognise that the previous one had failings.

The following section outlines policy options in a number of focal areas attempting to take account of the complexities of the situation and the competing policy objectives inherent in the problem. They are aimed at informing long-term and principled strategies promoting issues of national interest, responding to the crisis so that threats to national and regional security are minimised, and upholding and promoting the values of universal human rights, liberation from colonial oppression and the principles underpinning the African Union, including those informing the African Peer Review processes.

In framing these broad recommendations, certain principles inform SALO's approach. These include accepting:

1. That the solutions to Zimbabwe's problems lie primarily with Zimbabweans;
2. That the will of the people of Zimbabwe should be respected by all stakeholders;
3. That the values underlying SADC's own protocols should be respected and upheld;

4. That South Africa - because of its geographical, historical and economic position - has a key role to play in defusing the crisis, but no right to attempt to manipulate the democratic process;
5. That the international community, working with African countries and institutions, also has a critically important role to play which should at all times complement, rather than conflict with, African initiatives; and
6. That civil society has a role which should be respected and understood by governments.

Thus whilst the following policy options are primarily for consideration by governments, and in particular the South African Government, they are framed in such a way as to provide a focus for a wider stakeholder audience. The intention is to develop a broad policy framework within which the many diverse stakeholders and role players can work independently, and increasingly together, to build the conditions for change in Zimbabwe.

Our view is that conditions for change *still* require a concerted effort to achieve ten key objectives. Although these “pillars” on which a process of change and reconstruction can be built were devised in the period before the GNU, they still apply to the current situation in Zimbabwe. In addition we are motivating for an increased role for civil society across all of these pillars. These pillars are:

- A. Harmonising and deepening international analysis and awareness of the problems in Zimbabwe;
- B. Strengthening regional institutions and amplifying progressive African voices;
- C. Building an international consensus on effective strategies to resolve the Zimbabwean crisis;
- D. Strengthening and supporting the AU and SADC mediation process;
- E. Harmonising international efforts to assert respect for human and people’s rights;
- F. Contingency and scenario planning;
- G. Reducing the vulnerability of Zimbabweans who have left the country (for political or economic reasons);
- H. Supporting internal stakeholders in building a vision for the future;
- I. Mobilising resources for reconstruction; and
- J. Identifying those who are benefiting economically from the current crisis and those who are profiteering.

**A - Harmonising and deepening international analysis and awareness of the problems in Zimbabwe:** Not all the problems of the Zimbabwean economy are due to ZANU-PF’s

economic mismanagement. Equally, one cannot accept Mugabe's attempts to place the blame entirely on the UK, the USA, or 'the West'. Arguments about the inequitable 1980 inheritance of the Lancaster House constitution, the UK's supposed failure to pay for land reform, and insisting that the current "sanctions" are driving up inflation and unemployment, have been shown in other chapters to be unsustainable. To be sure, both positions have some validity. The land invasions and a host of other ZANU-PF policy mistakes *have* done enormous damage, and the UK *does* have historical responsibility for aspects of the Zimbabwe crisis. However an analysis using these facts to develop a simple and one-sided articulation of the problems does not help.

These are important issues that contribute to divisions inside Zimbabwe, within Southern Africa, and between Southern Africa, European and other Western governments. Zimbabwe's different role players need to at least work from a common understanding of the causes of the crisis, recognizing their complexities and contradictions. Although economic analysis informs the debate on measures required for reconstruction, it must be recognised that restoring sound economic management will not be enough.

Reactions to the widespread violence after the March 29 2008 elections and the blatant disregard for democratic practice shown by Harare indicate that there is a growing degree of consensus amongst international and local stakeholders about who and what are at the root of the conflict. The difficulties of the GNU have reinforced that perception.

**B - Strengthening regional institutions and amplifying progressive African voices:** It is essential to find ways of affirming and strengthening the role of institutions such as SADC as a critical component of the African governance structures of the future. The growing number of African leaders prepared to speak out publicly against the use of violence by the Zimbabwean state, and to criticise the aborted democratic process in Zimbabwe in 2008, provides an opportunity to build an African unity founded on progressive values and principles, also challenging past practices and international perceptions of a solidarity that ignores injustice and undemocratic governance. The emergence of a more cooperative relationship between civil society and government in some parts of the continent, including Kenya, Tanzania and Botswana, particularly in response to the crisis in Zimbabwe, provides additional opportunities that can be built upon.

In 2007, Abie Dithlake, the leader of the SADC-NGO Council, drew attention both to the regional nature of the problem and to the fundamental reason behind SADC's attitude of solidarity with the Mugabe government at the time.<sup>318</sup>

*"The relationship between the SADC as heads of states and how they redefine their foreign policies, both within the region among themselves, but also with the external world, is defined ... by the post-colonial character of the world and the fear and suspicion that civil society and other opposition parties are largely defined and informed by foreign agencies. This is why it is believed that they can not be trusted to contribute directly to the political agenda of the region. It is believed that what they are doing has not been derived from within, from what they believe in, but it's been*

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<sup>318</sup> At a 2007 SALO conference on post-apartheid governance challenges in the region, supported by the Conference, Workshops and Cultural Initiatives fund of the EU

*influenced by outside forces. Although in the private meetings of SADC they are able to talk frankly with each other, they will never criticise each other outside of these particular meetings and they will never reveal what was going on. ... (If ) you listen to what President Kikwete was saying about the purpose of that meeting and you counterpose the same interview with President Mugabe, you will understand that the intention is precisely to find a way in which the ZANU PF can be strengthened so that it becomes the driver of the change in Zimbabwe. This is precisely because of the view that neither civil society nor opposition parties can be trusted, not only in Zimbabwe, but across the region. They cannot be trusted to take the post-liberation mantle precisely because of the agendas they might represent.*

*There are two key issues on which we should focus. The first is our critical understanding of and debate on the genesis of the problem in Zimbabwe. Is the problem a ZANU-PF problem, or President Mugabe - or is there a bigger problem in the region? I believe that it's a bigger problem in the region. The manner in which the heads of states see themselves and see the project of transformation in the region, as something that cannot be entrusted with other citizens in the region, is one of the critical issues.*

*What are the possibilities of the same reversal as Zimbabwe's in other democracies, in South Africa, Namibia or elsewhere? We have to pose the question of a general fragility of our ability to sustain and protect our respective democracies."*

There are many angles to this problem's regional dimension. As Vale points out:

*"I think this has been a very difficult project for Mbeki. He has also had to deal with the anthropology of leadership in the region – in other words, he's lower down the pecking order."*

At the end of the day, the classical question 'what is to be done?' has to be asked. Bishop Rubin Phillip varied that question somewhat:

*"What should we be doing? We shouldn't lose [sight of] the need to continue with the sharp analysis around Zimbabwe. If we fail to do that then the kinds of solutions we bring to those problems may not have the kind of required depth, so the analysis is important, we need to continue to probe and to interrogate what's going on in Zimbabwe: but not Zimbabwe alone because it doesn't stand on its own, it's part of SADC. Thus we need to unpack a lot of that stuff. We have not done enough of that. Mbeki must be scared that if we do too much of that we might uncover a few more demons."*

Professor Shadrack Gutto of the University of South Africa's African Renaissance Centre explained South Africa's central role in resolving regional conflicts:

*"The entry of South Africa into SADC created new dynamics. At that moment there was a party that was very dominant economically, but also because it was a liberation movement it was even better connected with the members of the whole region than any of the countries that had been involved in supporting the South*

*African liberation parties. That probably explains the responsibility and the expectations that people have of South Africa now and the role that it ought to play.”*

**C - Building an international consensus on effective strategies to resolve the Zimbabwean crisis:** The seeming impasse in the GNU after the ‘Kinshasa moment’ would indicate the need for a new African – and international – consensus to be constructed on the crisis. In searching for consensus on strategy, the following issues could provide a useful focus for discussion. The areas where there is a measure of agreement, and those remaining areas of conflict could be identified. These are the issues most likely to produce differences; they do not represent an attempt to impose an agenda for negotiations, but a way of framing the debate amongst the motive forces for change. If agreement could be reached on some or all of these issues, then internal unity would be strengthened and the momentum for change would be increased.

These ideas would include support for increased civil society involvement in the dialogue process: whatever the differences, collective engagement is more likely to find solutions than an exclusive or unilateral approach.

Given that the expectations of the SADC conference in the Democratic Republic of the Congo in September 2009 were not met, perhaps SALO’s 2007-2008 notion of establishing a technical team to prepare the road for free and fair elections might be reconsidered.

The issue of Mugabe’s security – and that of the other members of the military-centred Joint Operations Command - must be settled. The GNU era has made it increasingly clear that the future of members of the JOC must also be addressed.<sup>319</sup>

In South Africa a group of state and non-state partners from Europe, South Africa and Zimbabwe have been meeting for three years facilitated by the Southern African Liaison Office, as part of an attempt to bridge the gap between Europe and Africa. Renier Nijsskens of the Dutch Institute for Multi-Party Democracy was one of the key participants and supporters of the SALO consensus-building network process. While he was the Belgian ambassador to the DRC he played a major role building a consensus between African and European players that was crucial to resolving that longstanding conflict. With reference to the situation in 2007, when Western countries were showing confidence in South Africa’s ability to bring about change in Zimbabwe, he observed that at the beginning of the Zimbabwe international consensus-building project there was

*“quite a different approach on Zimbabwe between the Northern countries and the key partner, South Africa. The Northern countries were basically pushing for sanctions, pushing for regime change and were eager to move on quickly. South*

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<sup>319</sup> The Zimbabwe Institute’s, ‘The Security-military Business Complex and the Transition in Zimbabwe’, Discussion Paper, June 2008, concludes: “For the political transition to occur in Zimbabwe, first the military needs to be brought on board in all the political negotiations leading to political change. Second, it needs to be reassured, along with Mugabe, in concrete terms that it will not be subjected to retributive justice and that its members’ economic gains made under its current partnership with Mugabe will not be seriously undermined when it cedes power to a civilian government, especially to an MDC government which it believes has strong ties to international capital.” On the other hand, regional powers have made it clear that coups in any SADC state will not be abided: that option for JOC is ruled out. This issue of ‘justice vs. settlement’ is clearly a matter of contention among Zimbabwe’s democratic forces – as it is around the continent.

*Africa was for quiet diplomacy, patience and hope for some kind of silent solutions. What we have come to achieve over the year is, first of all, a better understanding of each other's position, so the suspicion among the Northern countries that the South African quiet diplomacy was, in fact, a cover up condoning what was happening in Zimbabwe has proved to be wrong and we have understood that South Africa is genuinely eager to find progress towards an improvement of the situation in Zimbabwe.*

*On the Northern hemisphere side, the idea of regime change has been subsiding. We have come to the conclusion that Mugabe is there to stay, that ZANU-PF is still solid in power, that the opposition is in disarray and not able/willing/eager to put its act together and to capitalise on the genuine suffering of the Zimbabwean people; and from all of these conclusions we came to, first of all, a more common understanding of what is happening in Zimbabwe and what needs to be done; and second, an intention to work more closely together in trying to address the issues in a more coherent way.*

*If we look at this picture, that is where we are today; there is still a long way to go, but we understand each other better, we are eager to work together, and it looks like we will get to some, not only common understanding, but also some more closely defined common positions."*

Civil society organisations, the diplomatic community and African leadership will need to work together to develop the most effective combination of strategies. A multi-lateral, dialogue-focused intervention remains the best option in the pursuit of constructive and sustainable outcomes. The role of South Africa, and the African institutions of which it is part, will remain as critical as ever within this process.

**D - Strengthening and supporting the AU and SADC mediation: The roles which SADC, the AU and the international community could play to strengthen the positive aspects of the GNU require discussion:** There is an ongoing need to bolster the GPA and ensure that it is implemented in line with both the letter and spirit of the agreement. A collective effort by African states and the international community could include the deployment of technical experts to areas within the Inclusive Government, observers who could monitor levels of violence and support the work of JOMIC, an arms embargo, and the setting of clear, specific and agreed benchmarks of reform that are linked to the removal of targeted economic measures.

**E - Harmonising international efforts to assert respect for Human and Peoples Rights:** Many believe that South Africa, as the SADC-appointed mediator in Zimbabwe, cannot be seen to be motivating for sanctions or other forms of international pressure, and that any sanctions not supported by South Africa and SADC will have limited impact. This is especially the case when South Africa is seen to have played such a major role in the GNU. However, the post-Polokwane regime *is* new and may benefit, internationally, regionally, and locally if it can be seen to resuscitate a moribund GNU. Debate on the issue may be just beginning. The Kinshasa summit highlighted the fact that Africa seems to be united in calling for all forms of "sanctions", including measures aimed at individuals connected to ZANU-PF, to be lifted immediately - a call presently not acceptable many Western partners. It should be



recalled that the removal of these measures in the EU would require the support of every EU member state.

The nature and conduct of the debate on sanctions is important. Discussions have been marked by a level of acrimony and blame amongst those who share a common aspiration to see change in Zimbabwe. The UK media has been critical of South Africa's position, with the perception being fuelled that somehow South Africa's public opposition to sanctions should be interpreted as support for the Mugabe regime and its actions.

By the same token UK, EU and US "measures" are often reported in the African press as "sanctions" and are sometimes dismissed as worthless measures – or even grandstanding – that provide justification for Mugabe's claim that the West is to blame for the nation's economic ills – and that Morgan Tsvangirai is responsible for the malfunctioning of the GNU because he was not able to have them lifted.

Be they called 'restrictive measures' or 'sanctions', they must be reconsidered carefully given that *two* (actually three) parties are the constitutive parts of the transitional government and thus have stakes in it, albeit different ones. Thus the EU's position of 2007 still has relevance today. As Xavier Marchal, ambassador for the EU to Harare, put it at the SALO/CWCI conference in June 2007:

*"What is the European Union doing about the crisis of governance in Zimbabwe? Yes, there are profound disagreements between the EU and Zimbabwe. But while we talk constantly about article 96 of the Cotonou agreement, which triggered the restrictive policy of the European Union towards Zimbabwe, we seldom mention article 8, which encourages dialogue precisely to solve the difficulties... the agenda of the EU is not about regime change but about policy change.*

*There are two avenues: remove restrictions first then we talk, or let's talk in order to be able to remove restrictions! We propose the second avenue.*

*On the issue of the so called sanctions, I think we need to also set the record straight. There are no economic sanctions towards Zimbabwe, there are no trade sanctions towards Zimbabwe. There is a restrictive policy yes, but we have continued to be engaged and present.*

*In the meantime, while we have these restrictive policies we have not abandoned Zimbabwe and we have not abandoned the population of Zimbabwe. The EU has remained the most important and significant donor to Zimbabwe, by far. Last year the EC committed 86 million Euros in Zimbabwe and the EU, which means the sum of the EC plus bilateral member states, committed 193 million Euros in assistance to Zimbabwe to support the health sector, basic education, food security, and food aid."*

Another feature of the public debate on bringing international pressure to bear on the Mugabe regime has been contrasting 'quiet diplomacy' – seen by some as an ineffectual strategy that is an excuse for doing nothing – with 'sanctions' and 'public condemnation' – seen by others as equally ineffective and doing little to bring about the intended pressure. Some even suggest that the focus of the UK, EU and US is 'regime change' and point to the failure of this approach in Iraq to demonstrate how wrong it is.

It is not helpful for governments sharing a common desire to achieve change, to be seen to be conducting a media debate using caricatures of the different realities faced in African and 'western' contexts. The debate needs to be redirected to an engagement on what practical measures would be likely to have a significant impact.

The issues surrounding the debate on sanctions are complex. Thus the focus should start with agreeing to the need to apply pressure, and the purpose for which that pressure is to be applied. For example, there may be greater support for measures if the purpose is not understood as 'regime change', but rather following Amendment 19 of the GPA. If there can be a great degree of international consensus on the need to apply pressure, then the pressure on the regime is already greater. Of course, it will assist if a distinction can be drawn between measures that affect the ruling elite and those increasing the suffering of people. For example it must be possible to reduce military supplies to the regime without this having serious economic or humanitarian impact.

This discourse must become more pragmatic and less ideological in content, recognizing that there is a growing community of nations eager to see change in Zimbabwe, understanding the need for an internal solution, and seeking to create conditions for longer-term growth and stability. This growing consensus needs to be built on if the GNU continues on its current track. These discussions can only strengthen the hand of the mediator.

One focus of attention relates to how immediate pressure can be applied to stop acts of oppression and expose human rights abuses. The SADC trade unionists who refused to unload and transport the Chinese weapons shipment in Durban are a case in point.

If the SADC initiative fails to yield results and ZANU-PF remains defiant, further penalties could include pressure to engage the AU and the UN. The debate needs to be raised with SADC about a potential role for the UN in the process. Currently there is a de facto veto applied by some SADC members to any involvement of the UN. The basis for this involvement is already in place with the report on Zimbabwe of the African Commission on Human and People's Rights, that of the UN Special Envoy, and the ANC's July 2008 statement in which it signals possible consideration of support for UN sanctions at some future date. Both the UN and AU reports recommend action against those responsible for rights abuses and *Operation Murambatsvina*. The challenge is to create the conditions for African nations to view the UN as a legitimate vehicle for supporting change in Africa. This is as much a challenge for the Western nations as it is for governments in the region.

Tim Hughes of SAIAA articulated constructive suggestions for South Africa around its stance at the United Nations in relation to Zimbabwe:

*"South Africa's perfectly correct in so far as the Security Council has definitely become the mouthpiece for great power rivalry and more particularly American hegemony. Essentially the agenda has become a unilateral agenda. ...*

*Procedurally, South Africa was perfectly technically and legally correct to say that issues such as Myanmar could not be construed as a threat to international peace and security. We have to be careful about who's setting the agenda and in whose interest that agenda is set.*

*But when we did not initiate the Human Rights Commission reports on Myanmar or Zimbabwe we erred. We've said it rightfully belongs in these Commissions, but we did not advance the agenda into them. (...) There has to be a corollary to your legalistic and technical position, to say, if it belongs in this particular forum we are going to advance it here. South Africa should have helped to advance the Myanmar position and the Zimbabwe crisis into the Human Rights Commission."*

Jacob Mapfume of the Crisis in Zimbabwe Coalition was more direct:

*"We have noted the South African Government's explanation in terms of the Security Council, but this voting pattern has not been restricted to the Security Council. We had the same problem during the Human Rights Commission. The South African government led the issues of no vote motion. We have only heard voices of sympathy from governments like Ghana and Senegal who have indeed taken the floor to talk. At the last council meeting the Ghanaian government said quite clearly that the situation in Zimbabwe cannot be allowed to continue. We have always been aware that even at the human rights platform where human rights issues have to be addressed; South Africa would restrict the agenda item should it be raised."*

Many Zimbabweans do not believe repeated South African government and ANC protestations of their commitment to human rights in Zimbabwe. For them, actions speak louder than words. Therefore those seeking effective international action particularly welcomed the unanimous Security Council condemnation of violence against the Zimbabwean opposition before the June 27 2008 presidential run-off. South Africa, Russia and China all agreed to a watered-down Zimbabwe resolution that ruled out a free and fair election in June, although it fell short of declaring Morgan Tsvangirai the winner of the March election.

**F - Contingency and scenario planning:** The volatility of the situation in Zimbabwe underlines the urgent need for multi-stakeholder policy dialogue. This should include discussions on contingency planning should the situation either improve or rapidly deteriorate. It is crucial to explore best- and worst-case scenarios, and to develop strategies to manage them. The South African Government has already played a lead role in initiating and coordinating these discussions which include domestic, regional and international stakeholders that can be called on to take action if it is required.

**G -Reducing the vulnerability of Zimbabweans who have left (for political or economic reasons):** As noted in the section on the xenophobic violence in South Africa since May 11 2008, there is an extremely urgent need for a much more supportive international framework for the people affected by the crisis. This would include a more informed and humanitarian reception and treatment of migrant Zimbabweans by institutions and civilians in South Africa and the region. The extent of the crisis in Zimbabwe could be acknowledged through domestic action without undue negative effect on international relations. A principled response to human suffering domestically would also enable the Southern African Government to maintain the moral high ground and demonstrate to the world that Africa has the capacity and will to respond effectively to such crises.

Policies that endeavour to meet the needs and protect the rights of economic migrants and political refugees could be more effective. Attitudes reflecting the values of *ubuntu* and human solidarity that enabled exiled South Africans during their struggle for liberation could be more clearly promoted.

#### **H - Supporting internal stakeholders in building a vision for the future:.**

Unlike ZANU-PF, the MDC has been open and transparent. Thus it has been infiltrated easily by the regime's secret police and network of informers so to create ruptures and divisions within its ranks, not to mention the fear created by some of the more brutal attacks on leaders and activists. MDC leaders and activists have been battered and bruised over a long period, and have often felt unsupported by progressive forces in the region.

Racial or tribal identities – just as in South Africa and other African countries – can be exploited by individuals with anti-democratic agendas. It is widely believed that the Zimbabwean CIO has used ethnic tensions to split the MDC, and to drive a wedge between the main (Shona-dominated) section of the MDC and the South African government. As in South Africa, it is hard to speak about ethnic disputes. However, the ready use of political violence in Zimbabwe, even within the opposition camp, makes it even more urgent that all players including the international community should try to play their part to lessen, not exacerbate, these tensions.

**I -Mobilising resources for reconstruction:** Once the GNU is on track, or free and fair elections successfully carried out, it will be easier for a package of internationally funded initiatives to be more speedily implemented. Interventions underway since the GNU already include some of the following:

- An agreed vision of a post-crisis Zimbabwe
- Resources to support genuine land reform
- The identification of potential inward investment in infrastructure, manufacturing and service industries that could be mobilised once a conducive climate is created.
- The mobilisation, in conjunction with civil society, of supplies of food aid until food production improves.
- Resources to support the revival of education and health services.

However, in 2008 Moeletsi Mbeki believed that the situation in Zimbabwe has already deteriorated beyond the point where things can be easily resolved: and as of 2009, aside from the American dollar making goods reappear on the shelves, things may not be much better.

*“The Zimbabwean economy has been destroyed... a huge part of it was dependent on commercial agriculture for exports, Zimbabwean industry depended on commercial agriculture for its raw materials, and a lot of Zimbabwean manufacturing processed agricultural products. When that core element of the economy is killed, it’s very difficult to rebuild it. If Virginia tobacco gets knocked off, for example, then exports are totally compromised. Zimbabwe lost a huge part of its market for Virginia tobacco because the two other countries - the United States and Brazil - producing similar quality Virginia, have ratcheted up their own production to make up for Zimbabwe’s losses. Capturing back that market share will be virtually impossible for Zimbabwe because it doesn’t have the productive skills of both the farmer and the farm worker because both of them were kicked off the land. Now Zimbabwe doesn’t have the skills to produce Virginia tobacco and a host of other crops that came out of Zimbabwe before. That’s where the problem lies: the Zimbabwean economy can’t really be rebuilt. Lots of people think that once Mugabe dies or gets out of the scene donors will pump in money and happy days will return. It’s not going to be like that because Zimbabwe has lost a lot of skills.”*

**J - Identifying those who are benefiting economically and profiteering from the current crisis:**

A significant number of well connected Zimbabwean and foreign commercial interests are making extraordinary profits out of the current unstable political and economic conditions.<sup>320</sup> Despite the targeted sanctions against a few individuals others continue to benefit from exploitative and extractive economic practices that provide a strong incentive against resolution. Many of those on the sanctions list have found ways around the international financial constraints induced by the sanctions strategy. Questions around why some names have been removed, and the basis for adding additional names undermines the effectiveness of this intervention. Naming individuals and the Zimbabwean and international companies to which they are linked could open up new opportunities for pressure aimed at finding solutions, but the post-GNU climate makes this increasingly unlikely.

**K - A case for civil society involvement:** This publication has argued throughout for a greater role of civil society in the process of finding a way forward in the crisis.

The long-term intention to build democracy across the region will also require new forms of relationship between government and civil society actors. Reconstructed governance systems must be properly representative and accountable. Even when the inevitable breakthroughs are made in Zimbabwe, and the process of transition and reconstruction has begun as it clearly has with the GNU, there will still be much work to be done. This will necessitate the involvement of both state and non-state actors in the region. The building of strong relations now will be of benefit further down the line – even in that notoriously secretive world of foreign policy making.

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<sup>320</sup> Peta Thornycroft, ‘Rautenbach free to live south of Limpopo’, *Sunday Independent Business Report*, September 27, 2009, p. 2; Peta Thornycroft and Sebastien Berger, ‘Grace Mugabe, her “stolen” farm and how she supplies Zimbabwean milk to Nestle food giant’, *Daily Telegraph*, September 26, 2009; see also the film ‘Bankrolling Mugabe’, *Dispatches*, London: Channel 4, 2009.

Analyst Tim Hughes sees great potential for increased and effective civil society engagement with the South African government on Zimbabwe:

*“Those channels are opening up in parliament and the foreign affairs committee is beginning to take its mandate quite seriously. For example the ... foreign affairs committee on Africa and southern Africa, [did] not skirt Zimbabwe at all, addressing and reflecting on Zimbabwe’s problems and challenges.*

*Civil society is often uncoordinated, messy, and hard to pin down, but it’s one of the characteristics of the growth and the deepening and the strengthening of our democracy in South Africa. As much as the relationship between civil society and the government on some issues is understandably and naturally antagonistic, we can identify a fairly clear pattern of policy shift often in response to well-articulated, well-argued, coherent positions adopted by civil society.”*

There remains a residue of suspicion within government (although to a lesser extent than in the rest of SADC) that NGOs, through external funding, have an agenda contrary to the vision of a new South Africa. Whilst most NGOs believe this suspicion to be unfounded, arguing that it is the role of civil society to be a critical friend (not uncritical supporter) of government, dialogue processes would go a long way to building and sustaining an appropriate relationship between the state and civil society.

Bishop Rubin Phillip sees an important role for civil society groups in complementing the work of government, with both needing to exert more pressure:

*“The government is saying, in a sense: ‘Actually, thank you very much chaps, you’re doing us favour by making these noises and having these protests, and what have you, because in our heart of hearts, that’s what we really feel about King Sobhuza and his rantings and President Mugabe. This is why I think we as civil society shouldn’t let up. If anything we ought to redouble our efforts in making our voices heard loudly and clearly in standing alongside the oppressed in Zimbabwe, in supporting broad civil society actors who are working for change in Zimbabwe. So we shouldn’t give up on those things.”*

Abie Dithlake of the SADC-NGO Council raises some fundamental concerns to regional civil society in its efforts to bring about change in Zimbabwe:

*“Will we be able to convince our heads of state? It remains an engagement by us as civil society and other formations within the region to break the wall that exists between the heads of states and civil society. The fear is that if you open up to the other influences their intention is to hand over the region and the various member states to the pre-colonial period.*

*Can we actually journey with our heads of states? I personally do not understand their analyses and the possibility of the resolution of the Zimbabwean question precisely because they don’t share that knowledge with anybody except themselves.*

*[SADC leaders need] to take the people of the region into confidence, share their fears, share their analysis, because we don’t know their analyses in terms of how*

*they approach the Zimbabwean question, nor the Swaziland question. In doing so we end up being oppositional, precisely because we do not know what they are or what they want to do."*

### **A Final Word**

The speech by then President Thabo Mbeki at the United Nations University in 1998 entitled "The African Renaissance, South Africa and the World" aptly sums up the policy challenge for South Africa, and for Africa as a whole:

*"[W]e must bring to an end the practices as a result of which many throughout the world have the view that as Africans, we are incapable of establishing and maintaining systems of good governance. Our own practical experiences tell us that military governments do not represent the system of good governance which we seek.*

*"Furthermore, our experience has taught us that one-party states also do not represent the correct route to take towards the objective of a stable system of governance, which serves the interests of the people. One of the principal demands in our liberation struggle, as we sought to end the system of apartheid was: "The people shall govern!"*

Judith Todd has reflected on her book, *Through the Darkness* to remember the travails of this decade of 'quiet diplomacy' and chart a way forward:

*" The final two chapters ... reflect anguished incomprehension regarding the role of South Africa in whitewashing Zimbabwe's elections, in apparently protecting our regime and, indeed, in rewriting our history. But I try to end on as positive a note as possible, with the hope that South Africa and the region will eventually take action, as circumstances and the basic instinct of self-preservation will demand.*

*Simple calculations show that allowing the continued existence of a lawless regime in Zimbabwe is too expensive for the region to sustain. The cost of continuously deporting thousands of people, erecting fences, building detention centres, and the strain on all arms of surrounding governments as immigration and crime prevention bodies fail to cope, as health services are overstretched, and foot-and-mouth and other diseases cross the borders from Zimbabwe, is becoming unbearable. A further cost has not even started to be estimated – the damage being done every day to future relations between the cold-hearted region and a resurrected Zimbabwe. ...*

*Just as the ANC assembled powerful international assistance to successfully plot the destruction of apartheid, so the South African Government can single-mindedly and swiftly plan, in concert with what bodies it may choose, the return of its neighbour Zimbabwe to constitutional government and the rule of law. All else will follow, and the survivors of Mugabe will be able to start the rebuilding of Zimbabwe and the healing of the region all over again. "*

Jacob Mapfume, of the Crisis in Zimbabwe Coalition stated:

*“What we simply want is the same freedoms that the South Africans have, that the people in Botswana have: the freedom to sit in a room like this without fearing being arrested, the freedom to have an alternative TV station, the freedom of having an alternative radio station, the freedom to send your children to school, the freedom of having clinics.*

*It is not European freedom, it is not British freedom, these are simple freedoms that every SADC citizen should understand, and we do not understand where the complications come from. When the South Africans were not independent we wished them the same freedoms that I had. When I was young and when I was reading that Chris Hani died, when I was reading that Nelson Mandela was released from prison, it was the same freedom that I was experiencing that I wanted the South Africans to experience. It is very difficult for us to understand how the comrades who understood freedom then can now complicate it and cannot understand it, and cannot simply say, look comrade Robert Mugabe you cannot treat people in this manner. It's simple I think.”*

When such freedom is incorporated into the world of foreign policy in South Africa regarding Zimbabwe, it will add another level of liberty to those tenuously won all over the world. The advent of democracy in South Africa in 1994 was one; perhaps ‘post-Polokwane foreign policy’ – incorporating a successful contribution to the Zimbabwean citizenry’s democratic struggle – will be known as another.