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**“Zimbabwe: Opportunities for a New Way Forward”**

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Mr. Chairman, members of the Subcommittee, thank you for the opportunity to testify today.

Today’s hearings are particularly timely, as the international community begins to take stock as the inclusive government approaches its third-month in existence. My comments today are grounded in observations by IRI, and drawing from conversations with pro-democratic activists both inside and outside Zimbabwe who continue in their struggle for democratic reform. Since the late nineties, IRI has worked to support these activists in Zimbabwe to develop momentum for reform, and to help them share their message of change with Zimbabweans and the world. These same activists are now striving to give real meaning to an inclusive government that we all hope marks the beginning of a democratic transition. What has Zimbabwe achieved with this inclusive government, what threatens democratic reform, and how can the United States and the international community best serve in guaranteeing that this transition takes root?

**Background**

To truly appreciate the strides that pro-democratic forces have made in Zimbabwe, it is necessary to contextualize the formation of the inclusive government within a larger struggle. The committee is familiar with the deterioration of Zimbabwe under the leadership of the liberation-era government of Robert Mugabe, as the economy was mismanaged and exploited. Following the popular rejection of the overtly pro-government constitution in 2000, President Mugabe and ZANU-PF retaliated with a massive increase in intimidation and violence against opponents, as evidenced in the sham elections of 2002 and 2005, characterized by an escalating pattern of violence, intimidation and rigging.

On the receiving end of this violence was the Movement for Democratic Change (MDC) and its allies, born largely out of the Zimbabwean labor movement and as a reaction to the increasing oppressiveness of the Mugabe regime. But despite the clampdown on political dissent, massive arrests of democratic activists on trumped up charges, persisting terror countrywide at the hands of the notorious war veterans, stifling legislation such as the Public Order and Security Act (POSA) and the Access of Information and Protection

of Privacy Act (AIPPA), and a persecuted free media, the state repeatedly failed to stamp out the groundswell of support for the democratic alternative as espoused by the MDC.

To the enormous credit of the Zimbabwean people who continue to believe in the democratic agenda of the MDC in the face of wanton intimidation, and to the credit of a political party that survived in the face of staggering persecution, the March 2008 general elections were a victory for proponents of a democratic Zimbabwe. The two factions of the MDC, for the first time, took majority control of Parliament. The MDC presidential candidate Morgan Tsvangirai won a majority, but it took the Zimbabwe Electoral Commission three weeks to release final results, indicating that Mr. Tsvangirai had a plurality, but not the majority necessary to win outright.

The second round of elections, scheduled for June 2008, prompted a rapid mobilization of state-sponsored violence to a level unseen even in previous Zimbabwe elections. Not only were MDC activists and supporters abducted, tortured and killed, but the regime manipulated the distribution of desperately needed food and humanitarian aid to harass and intimidate ordinary citizens. At the same time, President Mugabe and his compatriots in the security services and the army made it perfectly plain that *any* result, aside from Mugabe's re-election would be unacceptable. On June 22<sup>nd</sup>, the MDC and Morgan Tsvangirai announced that they had little choice but to withdraw from the election, and on June 27<sup>th</sup> Robert Mugabe won unopposed.

In response to the blatantly illegitimate election, the Southern African Development Community (SADC) stepped in to intervene. Under the guidance of former South African President Thabo Mbeki, the two factions of the MDC and ZANU-PF signed a memorandum of understanding in July which paved the way for talks with the aim of the formation of a unity government. The Global Political Agreement (GPA) was signed on September 15<sup>th</sup> and laid the foundation for a unity government. The devil remained in the details prompting further negotiations, and Morgan Tsvangirai was finally sworn in as prime minister on February 11<sup>th</sup> 2009.

## **Successes**

Given this back-story, that a unity government even exists is a remarkable success, and one that at many points along the way was unthinkable. But the Global Political Agreement, the basis for the government, is an imperfect one, and one in which the MDC factions must be vigilant against their relegation to wholly junior partners to ZANU-PF. Nevertheless, there have been some successes in the past three months.

From an economic perspective, the Finance Ministry, under the capable leadership of the MDC General Secretary Tendai Biti, has taken significant initial steps to stabilize the freefalling Zimbabwean economy. In March, the government released its Short Term Economic Recovery Program (STERP), and in April, officially abandoned the Zimbabwe dollar in favor of the South African Rand and US Dollar. This move has also helped to sideline the Reserve Bank, still under the control of Mugabe-ally Gideon Gono, who has served as the director of the elaborate ZANU-PF patronage network in this capacity. The

government has recently begun paying civil servants and teachers a modest stipend in US dollars, and food is beginning to appear on the shelves in stores, even if there is still not enough dollars, or food, to go around. Humanitarian assistance is increasingly reaching those out in the rural areas.

There has also been a gradual opening of political space. From IRI's immediate standpoint, we have been able to extend our work to include democratic activists outside of the cities of Harare and Bulawayo, suggesting a freedom of movement and association that had been previously unheard of, even if IRI cannot as of yet work directly in the country. The Zimbabwe Media Commission has been created to review the media situation, and independent papers are beginning to return to the capital. Most importantly, there has been movement on one of the fundamental tenants of the Global Political Agreement, with a parliamentary committee appointed to work on the draft of a new constitution that will be the foundation for new elections. The various groupings of the unity government has made overtures of cooperation, most recently as demonstrated in the team building session in Victoria Falls in early April which aimed to introduce ministers from opposing parties, and to develop as a group the government's "100 Day Plan."

## **Problems**

But despite these gestures of cooperation, this government remains an unholy marriage of contradicting interests. Skepticism is well-founded; daily headlines refer to boycotts of meetings, crisis talks and unilateral actions, all underscoring a lack of commitment by certain elements in the government to the success of the inclusive government, and in some cases, representing an active desire to sabotage the inclusive government.

Even the beginning of the new government was marred by incident. The MDC Treasurer and nominated deputy agricultural minister, Roy Bennett, was arrested and charged with high treason when he arrived in Harare for his swearing in ceremony. Mr. Bennett remains under house arrest and Mugabe refuses to swear him in as a minister. Even the judge who set bail for Mr. Bennett was threatened with arrest.

President Mugabe continues to act aggressively in order to shore up his control of key institutions. He unilaterally re-appointed Mr. Gono as director of the central bank and Johannes Tomana as Attorney General. In April, Mugabe announced that the ZANU-PF controlled Transport Ministry would take over the Ministry of Information, Communication and Technology; a ministry held by MDC spokesman Nelson Chamisa. Not only was this in direct violation of the division of ministries agreed to by the three parties, but the seizure of this particular ministry will allow ZANU-PF to spy on citizens through telephone and email correspondence; a dangerous weapon for repression and retaliation. This, combined with their control over the Home Affairs Ministry, the Defense Ministry and the judiciary, can well be interpreted as a strategy for eventual re-domination of the government backed by force.

Though it has lessened, the specter of violence continues hovers over Zimbabwe, particularly in rural areas far from the prying eyes of media and internationals. MDC supporters continue to be subjected to harassment and arrest. Just this week, eighteen human rights activists and MDC members were re-arrested after previously being released on bail. Violent farm invasions and seizures continue, and a recent New York Times article reports that some ZANU-PF cronies are threatening members of the new government in exchange for promises of amnesty.

## **Scenarios**

What do these problems mean for Zimbabwe's prospects for transition? There is no doubt that Zimbabwe is at a critical crossroads. The success of the inclusive government spells dangerous prospects for many in ZANU-PF. There are significant, and still powerful, hardliners in the party who do not wish to be held accountable for previous misdeeds, and will do their best in this period to undermine the inclusive government and solidify their own positions. Whether this is achieved through resistance to MDC-driven reforms, or worse, through a violent assumption of power remains a very real and disquieting, unknown.

In the best case scenario, the inclusive government could succeed; the MDC could prove its ability to rule fairly and effectively, and a new constitution could be created, ultimately leading to transparent elections. But, even leaving ZANU-PF intransigence out of the equation, this will be no small task. MDC leadership in government continues to be criticized by its own support base; there are still strong voices from the lower levels of the MDC that are not satisfied with the party's cooperation with ZANU-PF. Civil society, which has been rightfully critical of its exclusion from the negotiations leading to the unity government, is now raising concerns vis-à-vis the drafting of a new constitution through a parliamentary-driven, rather than a people-driven process.

## **Recommendations**

Given the extreme fragility of the inclusive government, and its very real potential for collapse, it is critical that the United States target its assistance to efforts that promote an environment receptive and conducive to democratic reform, rather than offering blanket financial assistance.

As the US Government reviews its policy for engagement with Zimbabwe, I would recommend the adoption of five guiding principles:

1. *The inclusive government is an imperfect and interim arrangement:* The inclusive government is merely a first step along the path of democratic transition. Although economic stabilization and immediate relief of the humanitarian crisis is of the utmost importance, the inclusive government will have failed if it does not lead to a new constitution, new elections and a new government. The inclusive government does not and never will be a fair representation of the wishes of the Zimbabwean people. Donors should specifically consider monetary support and technical assistance to facilitate the

constitutional review process and the structuring and depoliticization of the electoral commission. In advance of elections, more broadly, the international community should continue to support the efforts of NGOs and democratic activists who will hold the inclusive government accountable to promises of reform in the Global Political Agreement, and will ultimately be those who will be called upon to guarantee the legitimacy of the next elections. Of equal importance, pro-democratic parties must be given the support they need to develop party structures to ensure their competitiveness in the next elections.

2. *Successes should be measured locally:* Though reform at the national level is vital, the extent of reform can only be determined by the quality of its extension outside of the capitol. Effective service delivery is the right of all Zimbabweans, and it is those in the rural areas that have suffered most at ZANU-PF's abusive patronage network. Support should be given to developing efficient local governments and helping reform-oriented mayors and councilors develop the skills to ensure that *all* Zimbabweans, not just supporters of one political party, receive what they are due.

3. *Zimbabwe's political spectrum must be accepted as fluid:* Though the donor community has supported the MDC in opposition to ZANU-PF, the US Government must be willing to engage with moderate elements and parties as they emerge. Though wariness in supporting ZANU-PF is understandable, a distinction must be made between the moderates and the hardliners if the inclusive government has any chance of succeeding. Furthermore, if the political space in the country continues to open, new issue-based parties will and should be encouraged to emerge; donors should work with any and all pro-democratic parties in developing and strengthening party structures.

4. *The South African Development Community (SADC) should be a leading force in resolving the Zimbabwe crisis and any future impasse:* South Africa and others have long argued that the Zimbabwe crisis is an African matter requiring an African solution. Though the United States and other western donors have a role to play, this inclusive government is evidence of the potential power of regional pressure. SADC should take the lead in ensuring that the substance and spirit of the agreement is carried out by the unity government. SADC countries, and others on the continent, should take a greater role in condemning violations of the agreement, and should pledge the financial assistance that the agreement they helped create requires for its survival.

5. *Expectations must be flexible and manageable:* The greatest challenge facing the MDC in the inclusive government is the management of expectations. As the party leadership is well aware, both the failings and successes of the inclusive government will be laid at the feet of the MDC, regardless of responsibility. The donor community must be sensitive to this, and recognize that if the reformist element of the unity government cannot deliver on basic promises their credibility will be shattered, or worse; the government could fail. Though the international community should be rigidly monitoring the performance of the inclusive government, it should not rigidly attach itself to certain benchmarks. With a fragile unity government, overly-conditioning aid could scupper progress in other areas. As alluded to previously, one way in which the US Government

should pursue channels of assistance is outside of the inclusive government, through local and international NGOs who are working to foster a pro-democratic culture in which the non-elected inclusive government is held to account and gives way to an elected government.

As the events of recent months and years have shown, there is nothing predictable about Zimbabwe. Zimbabwe watchers have long been a cautiously optimistic group, inspired by a resilient people who persevere in the face of a devastating humanitarian crisis and relentless political oppression. Although the international community is right to remain hesitant in its interactions with the inclusive government, I commend the committee, under your leadership, Mr. Chairman, for encouraging dialogue about avenues for engagement. While recognizing the profound weaknesses of the inclusive government, the US government should be cautious in its methods of offering support, but to withhold all support would be an unconscionable disservice to the people of Zimbabwe. We must target support to lay the foundations for legitimate elections, and to allow Zimbabweans to exercise their long-denied right to be served by a government of their choosing.