

The Protracted Democratic Transition in Zimbabwe

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Abstract

This essay explores the reasons for the exceptionally slow process of transition to democracy in Zimbabwe. It identifies the major obstacles on the way, paying attention to both the general trajectories that characterize democratic transitions in Africa and the specific conditions applicable to Zimbabwe. Among the latter, the strong resistance to the process by the dominant ruling party and its collusion with the “deep state” comprising the military and police are singled out as the most relevant factors. The essay describes the protracted constitutional reform process and its partial success, as well as the implications inherent in the recent and ongoing mass protest movements. The essay concludes with a presentation of a number of possible future political developments.

Keywords: Constitutional reform efforts, factionalism, protest movements, transition.

The activists in Zimbabwe who started campaigning for constitutional reform and democratic change in the late 1990s could not have imagined that the transition process would still not be complete two decades later. The process has been glacially slow in movement. Much of the explanation lies in resistance to the process not only by the leading party, Zimbabwe African National Union-Patriotic Front (Zanu PF), but also by the “deep state,” including the military and police, also known as “securocrats.” This essay explores the trajectory of the democratic transition process in Zimbabwe during the last two decades. After a brief review of some pertinent literature on the context and prospects of transition in Africa, the relevance of the legacy of the liberation struggle for resilience of authoritarianism under the Mugabe regime is assessed. The essay then describes partial progress toward transition made through a long-winded reform process that culminated in a new constitution in 2013. That progress was undermined by the electoral irregularities of the 2008 election, in which

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the securocrats and Zanu PF denied the opposition the opportunity to form a government. Instead, a power-sharing arrangement led to the creation of a Government of National Unity (2008–2013), which provided a platform for the authoritarian forces to regroup and reassert their control.

The essay then explores momentous developments since the 2013 election: the intensified factionalism in the ruling Zanu PF party, and the growth of an energetic youth-based protest movement. Despite formidable challenges to the ruling elite, enormous obstacles to a democratic transition remain. They include resistance from deep state institutions, including the military. While there exist possibilities for a Grand Coalition among opposition forces to contest against the Zanu PF regime in the 2018 election, it is not clear whether their agenda include democratic transition rather than regime change without substantive reforms.

Background

Zimbabwe ranks lowly in governance and development in most indexes; described as “partly free” by Freedom House, it is among the bottom ten countries in overall governance in the Mo Ibrahim Index, and in the bottom thirty in development in the Human Development Index.¹

Zimbabwe also has the distinction of experiencing one of the most protracted democratic transitions in Southern Africa. Despite maintaining a nominal multiparty system and the trappings of constitutional order since independence in 1980, Zimbabwe has not undertaken a full-fledged transition like other countries in the region, such as Botswana and South Africa. There is a sense the country missed the “democratization wave” that swept the African continent in the early to mid-1990s. Similarly, it can be argued that Zimbabwe also missed the later wave that swept across North Africa in 2010–2014.

Yet, the country has had the necessary features that could have yielded a political and constitutional order to enable democratic transition. First, although the liberation struggle waged between 1964 and 1979 resulted in a huge number of casualties of more than 30,000 deaths, scores injured or maimed, and much property destroyed, the society has remained resilient socially and economically. Second, with the exception of the conflict in the southern Matabeleland provinces between 1982 and 1987, in which between ten and twenty thousand people died, the country has remained largely peaceful. Third, education and literacy levels as well as technical and professional skills have remained among the highest on the continent. At the same time, although Zimbabwe inherited significant infrastructure and industry, misguided

¹ See Freedom House, *Freedom in the World 2016* (Washington, DC: Freedom House, 2016); Mo Ibrahim, *Ibrahim Index of African Governance* (London: Mo Ibrahim Foundation, 2015); and *Human Development Report 2015* (New York: United Nations Development Programme [UNDP], 2015).

economic policies slowed growth in the 1980s, and especially from the 2000s onward.

The rumblings of discontent with the political order and constitutional set-up began in earnest in the 1990s, when demands for a new “people-led” constitutional reform began to be increasingly heard. Discontent with authoritarian and monolithic tendencies of the ruling Zanu PF party started to manifest itself during the same decade. Opposition parties and civil society called for reform of the political system, especially for a reform of the constitutional and electoral arrangements, in an echo of the significant reforms in the neighboring states of South Africa and Zambia, and elsewhere on the continent. Pressure was increased on the authoritarian state to open up and create similar reforms.

Democratic Transition in an African Context

Although it has been fashionable to describe the political changes that swept much of sub-Saharan Africa in the early 1990s as amounting to “democratic transition,” there has been little precision in defining that process. In assessing what we term a “protracted transition” in Zimbabwe, there is a need to unpack the concept of “transition.” First, in our view, there is a need for a distinction to be drawn among “regime change,” “regime transition,” “leadership succession,” and “democratic transition.” These processes may be related but they are not the same phenomenon. While regime change may refer simply to a change of a regime, and leadership succession to the assumption of power by a new leader, these two processes do not amount to a democratic transition.

An early systematic and analytical approach argued that a regime transition is a shift from one set of political procedures to another, from an old pattern of rule to a new one:

It is an interval of intense political uncertainty during which the shape of the new institutional dispensation is up for grabs by incumbent and opposition contenders. For this reason, a regime transition can be depicted as a struggle between competing political forces over the rules of the political game and for the resources with which the game is played...²

According to this perspective, regime transition may occur by means of a short, sharp transformation such as when a coercive autocracy collapses and gives way to an elected democracy; or it may unfold incrementally. The direction of transitions is not preordained or fixed; furthermore, it is not irreversible and,

² Michael Bratton and Nicholas van de Walle, *Democratic Experiments in Africa: Regime Transitions* (Cambridge, UK: Cambridge University Press, 1997), 10.

potentially, could result in another authoritarian regime. In simple terms, it is a process by which a society or state moves from an authoritarian, dictatorial, and statist political system to a more inclusive, open, and democratic system.³ A democratic transition is not a monolithic or teleological process, but instead is often complex and variegated, with an interplay of social forces influencing its trajectory and outcomes. A more vivid definition is that a transition entails motion from one point to another; this may be a linear or curvilinear process that may involve stations “on the journey to the intended destination.”⁴

With particular reference to Africa, it has been observed that a democratic transition consists of two related processes, namely political liberalization and democratization. The liberalization process is one in which constitutional guarantees of civil and political liberties as well as limits on the exercise of power by the government and people replace personal and arbitrary rule as the basic institutional framework of governance.⁵ For its part, democratization is a process in which rules regulating electoral competition and specifying governmental powers and responsibilities are crafted. It is useful to think of liberalization and democratization as separate processes, although they are interrelated in practice. “Liberalization is necessary for democratization but may not automatically lead to it... . It can lead to flawed democratization in which authoritarian incumbents with sufficient leverage against fragmented pro-democracy forces successfully manipulate elections in their favor... .”⁶

Democratic transitions are complex processes because they require the simultaneous destruction of an existing authoritarian regime and construction of a new democratic order. Democratic transitions are successful to the extent to which these two contradictory imperatives are adequately managed, if not entirely resolved. In a large sense, the outcomes of democratic transition are often uncertain. Not all countries that undertake political liberalization make successful democratic transitions.

It is useful to draw from another conceptual perspective when assessing the trajectory of democratic transition in Africa. Two basic patterns were identified: transitions “from above” and transitions “from below.” The former take place when incumbent rulers respond to an impending or actual crisis by initiating democratic reforms.⁷ Transitions “from below” occur when mounting popular pressures from the population result in national conferences, popular

³ Said Adejumo, “*Democratic Transition, Elections and Diversity Management*,” paper presented at a United Nations Economic Commission for Africa (UNECA) workshop, Addis Ababa, Ethiopia, October 1-2, 2012.

⁴ Eldred V. Masunungure and Jabusile M. Shumba, eds., *Zimbabwe: Mired in Transition* (Harare, Zimbabwe: Weaver and IDAZIM, 2012).

⁵ See Shaheen Mozaffar, “Democratic Transitions in Africa,” *Bridgewater Review* 16, no. 2 (1997): 7-10.

⁶ *Ibid.*

⁷ See Sahr J. Kpundeh, ed., *Democratization in Africa: African Views, African Voices* (Washington, DC: National Academy Press, 1992), 14.

revolutions, or pact formations leading toward a more democratic society.⁸ In the early 1990s, there was also the realization that transitions may begin as one type and transform into another, if the regime in question is unsure about how far it wants to go in democratic liberalization. In some cases, transitions have combined elements of the two transition processes, “from above, and from below.”

Nonetheless, as we already have observed above, not all African countries that embarked on liberalization and democratization succeeded in making the breakthrough to a sustainable democratic transition. Some analysts have gone so far as to question the usefulness of what they have termed the “transition paradigm.” It has been observed that “many countries that policy makers and aid practitioners persist in calling ‘transitional’ are not in fact in transition to democracy, and of the democratic transitions under way, more than a few are not following the model.”⁹

Critics question some of the core assumptions underlying the transition paradigm, namely that:

- Any country moving away from dictatorial rule can be considered a country in transition to democracy;
- Democratization tends to unfold in a set of sequenced stages, namely the opening followed by consolidation;
- Elections are of determinable importance;
- The underlying socio-economic conditions in transitional countries need not be major factors in the onset or outcome of the transition process, and finally,
- Democratic transitions are being built on coherent, functioning states.¹⁰

This critique is useful in encouraging a more skeptical review of the transition process in Africa. Most countries have forms of democracy with adjectives (qualified democracy), partly because they have not accomplished complete democratic transition. The critique cautions against characterizing countries that have undergone regime change and partial democratic reforms as democratic polities.

However, the critique of the transition paradigm may have thrown out the baby with the bath water. It was perhaps premature to dismiss it altogether. The seismic developments in North Africa in 2010–2015, and in various states in East, Central, and West Africa, again have underlined the relevance of the democratic transition discourse. As it was observed:

⁸ Ibid.

⁹ Thomas Carothers, “The End of the Transition Paradigm,” *Journal of Democracy* 13, no. 1 (2002): 5-21.

¹⁰ Ibid., 6-8.

For a moment it seemed as if the notion of transition might have become outdated or at least outlived its usefulness. But with the “color revolutions” in the former Soviet Union, and even more dramatically with the regime changes associated with the “Arab Spring” and the political opening in Burma, [the] question of democratic transitions has returned to center stage.¹¹

Thus, it is necessary and timely to assess the quality and trajectory of political transitions in Southern Africa. Most of them occurred in the 1990s, but stalled later before consummation of successful democratic transition. What factors have contributed to this stalling or prolongation in transition? Are there wider lessons to be drawn from a protracted transition such as Zimbabwe’s?

From Liberation to Authoritarianism

It is useful to preface an assessment of Zimbabwe’s protracted transition with a brief overview of the ideological framework and political culture that evolved during its first decade of independence. In the context of the Cold War, the liberation movements that acceded to power professed some commitment to socialism and the one-party state framework. In the case of Zimbabwe, flushed with success in dislodging the white regime of Ian Smith in 1980, the new ruling Zanu PF party was more committed to consolidating newly won state power for “nation building” than to laying foundations for a broad-based democracy. The authoritarian instincts of the new state were soon unleashed in the above-mentioned civil conflict that witnessed large-scale violence, terror, and destruction in the southern and western provinces. Those tendencies also found an outlet in the coercion of the main opposition party, Zapu, into a unity agreement in 1987.

The trajectory of nationalism and the espousal of socialism has long-term repercussions on intraparty democracy, interparty relations, and, more broadly, on political values.¹² A tendency toward intolerance and the propensity for the use of violence against political opponents became defining features of post-independence politics in Zimbabwe. To this intolerance was added a proclivity toward personality cults around such leaders as Robert Mugabe and Joshua Nkomo. As a consequence, instead of nationalism imbued with broad democratic values and practice, a resilient variety of authoritarianism has emerged.

The correlated political culture has reflected the drift toward intolerance,

¹¹ Larry Diamond, Francis Fukuyama, Donald L. Horowitz, and Marc F. Plattner, “Reconsidering the Transition Paradigm,” *Journal of Democracy* 25, no. 1 (2014): 86-100.

¹² See Lloyd Sachikonye, *Zimbabwe’s Lost Decades: Politics, Development and Society* (Harare, Zimbabwe: Weaver Press, 2012).

exclusivity, authoritarianism, and violence. Some scholars have pondered whether the emphasis that nationalism places on unity at all costs—and the concurrent subordination of organizations such as trade unions and churches to this imperative—gave rise to the intolerance of pluralism and is giving rise to a “commandist” state instead.¹³

The new state leadership often conceptualized the nation-building project in the narrow terms seen from a ruling party’s perspective. At the heart of the project was the ascendancy and consolidation of power by Zanu PF vis-à-vis other political groups. One expression of this vision was the stated goal, from the mid-1980s onward, to establish a one-party state. It was thus argued in somewhat self-serving terms that there would be no permanent peace, development, and democracy in Zimbabwe for as long as there existed two or more political parties based on regional or ethnic considerations.¹⁴ There were exhortations for a “one-party participatory democracy” that it would be Zanu PF’s vocation to construct. There were dismissive pronouncements about the role of opposition parties, such as, “National unity under Zanu PF discourages the formation of opposition parties by exposing their political and ideological bankruptcy.”¹⁵ As the 1980s wore on, the project of national unity was reduced successfully by Zanu PF to single-party rule.

In addition to nationalism, the experience of the liberation war between 1964 and 1979 had a profoundly lasting seminal effect on the outlook of the new ruling elite. Two key factors reflect this impact. The first is the belief that resolving political questions is the exclusive domain of the liberation movement; the second is the strong notion that the liberation movement has been entitled to hold power since independence. An additional impediment to the establishment of a democratic polity has been authoritarian militarism, which was a major characteristic of the liberation movement. Scant attention to individual and civic rights was exacerbated by a context in which the liberation process itself was fraught with intense intrigues, factionalism, and violent purges.¹⁶ The liberation war was critical in other aspects: “It gave birth to a coalition in which civilian and military elements were in periodic tension over political leadership ... a tense atmosphere encouraged a polarized outlook among leaders in which the political world was starkly divided between a small circle of trusted confidantes and a hostile landscape full of implacable enemies... .”¹⁷

¹³ Terence Ranger, ed., *Historical Dimensions of Democracy and Human Rights in Zimbabwe* (Harare, Zimbabwe: University of Zimbabwe Publications, 2003), 2.

¹⁴ Robert Mugabe, “The Unity Accord: Its Promise for the Future,” in *Turmoil and Tenacity*, ed. Canaan Banana (Harare, Zimbabwe: College Press, 1989), 344.

¹⁵ Ibid.

¹⁶ Eldred Masunungure, “Travails of Opposition Politics in Zimbabwe since Independence,” in *Zimbabwe: The Past Is the Future*, ed. David Harold-Barry (Harare, Zimbabwe: Weaver Press, 2004), 150-151.

¹⁷ Michael Bratton, *Power Politics in Zimbabwe* (Boulder, CO: Lynne Rienner, 2014), 28.

Finally, the party and state leadership in the post-independence era used the sacrifices made during the liberation process as the ultimate justification for their own political and economic entitlement. As liberators, they claimed to own Zimbabwe in the fullest sense of the term, namely that the country belonged to them, and to no one else.¹⁸ For longer-term significance, “they traced political legitimacy not to universal political liberties and open elections—whose procedures, results and validity they readily dismiss—but to an armed victory in a liberation war. Thus the leaders of a vanguard party have won not only a right to rule in perpetuity; they are also entitled to seize the nation’s wealth as they see fit... ”¹⁹ This largely explains why political and military leaders are among the wealthiest in Zimbabwe’s ruling elite.

Despite the deep historical embeddedness of authoritarianism with its drawing on nationalism and liberation ideology, resistance began to grow in the 1990s. It took the form of a challenge to the one-party state concept and repressive legislation against freedoms of assembly and expression. Civil society organizations such as labor unions, student and human rights organizations, women’s groups, and professional associations formed the vanguard of a broad-based movement against the authoritarianism of the Mugabe government. The movement thrived on increased disaffection against economic austerity and mismanagement that was intensified through structural adjustment programs that undermined growth and competitiveness.²⁰ During the 1990s, a movement for constitutional reform then emerged to challenge the hegemonic tendencies of the ruling Zanu PF, as the next section explains.

Although the fledging civil society was valiant in its efforts to resist authoritarianism, it did not amass a critical mass sufficient to dislodge the regime during elections. While it succeeded in rejecting a defective constitutional draft in the 2000 referendum, the electoral framework and state infrastructure remained heavily biased against it. Meanwhile, the ruling party solidified an alliance with liberation war veterans through generous—if unsustainable—pay-offs to them in 1997, before embarking on a populist land reform program in 2000 that caused significant disruption to the economy and precipitated a major crisis in the next eight years. While a wave of political liberalization, and in some instances, democratic transition, was sweeping across Africa, there was a political stalemate if not a reversal in Zimbabwe.

Nonetheless, by the end of the 1990s, civil society and opposition movements continued to grow in strength. This found concrete expression in the formation of an energetic constitutional reform movement, the National Constitutional Assembly (NCA) and the Movement for Democratic Change

¹⁸ Bratton, *Power Politics in Zimbabwe*.

¹⁹ *Ibid.*

²⁰ Lloyd Sachikonye, *Restructuring or De-industrializing? Textile and Metal Industries under Adjustment* (Uppsala, Sweden: Nordic Africa Institute, 1999).

(MDC) political party, which both campaigned for an inclusive “people-driven” constitution.

Zimbabwe’s Struggles for Constitutional Reform, 1998–2013

The ferment for a democratic transition gathered momentum in the mid-1990s. Drawing inspiration from successful resistance to the Zanu PF proposal for a one-party state, a loose coalition of civil society and opposition parties began a campaign for constitutional reform in order to change an authoritarian system, a defective electoral process, and regular abuses of civil and human rights.²¹ The weak constitutionalism and especially the absence of key rights in the constitution were targets of the reform campaign.

The change in focus from constitutionality to constitutionalism related to a context in which constitutions were viewed as tools for bridge-building among and between civil society and the state. In order to develop African political cultures grounded in human rights and social justice, an organic link was needed between the constitution as a rule of law instrument concerned primarily with restraining government excesses and protecting ordinary citizens, and the constitution as a legitimation of power structures and relations based on a broad social consensus in a diverse society.²² The task was to move away from old constitutionality that over-emphasized law and state power toward a new constitutionalism that had more relevance to the needs of African citizens and was ultimately owned by them. Constitutions have a specific spirit and tenor. This emerges “from intense intellectual and social combat that reflects the ‘balance of forces’ at the time of drafting.”²³ The constitution is a mirror reflecting the “national soul,” the ideals and aspirations of a nation, the articulation of the values bonding its people and disciplining its government.²⁴

Constitution Making in Zimbabwe

Zimbabwe has had a checkered history in constitution making. The Lancaster House Constitution that ushered in independence in 1980 was negotiated under conditions of duress. Presided over by Britain, the constitution reflected the “balance of forces” involved in the independence negotiations as well as the power balance within the southern Africa region at that particular juncture. As a compromise, the Lancaster House Constitution pervaded the process

²¹ Ibbo Mandaza and Lloyd Sachikonye, eds., *The One-Party State and Democracy: The Zimbabwe Debate* (Harare, Zimbabwe: SAPES Books, 1991).

²² Centre for Democracy and Development, *The Zimbabwe Constitutional Referendum* (London: Centre for Democracy and Development, 2000).

²³ Albie Sachs, “Introduction,” in *Writing Autobiographies of Nations* (The Hague: Netherlands Institute for Multiparty Democracy, 2009).

²⁴ Ismael Mohamed, as quoted in Sachs, “Introduction,” 2.

and structures through which the new state sought to consolidate national independence and provide the basis for economic and social development.

It was not expected that the significant provisions of the Lancaster House Constitution would be amended for ten years. It is therefore surprising that from 1990 (the date of expiry) to 1998, there was no urgent attempt to review the constitution and institute reform. Despite many burning issues relating to democracy—land reform and social rights, among others—there was no measured and serious effort at constitutional reform. Instead, the executive branch introduced constitutional amendments mainly to centralize and consolidate its power and authority. With the benefit of hindsight, the period between 1990 and 1998 would have provided a conducive environment and context for constitutional reform. This is because during that period political positions had not yet hardened enough to become too adversarial. In this sense, it was a “lost decade” as far as constitutional reform is concerned.

The absence of constitutional reform opened the way for the president to become a major beneficiary of the subsequent constitutional amendments from 1987 forward. One analyst pointed out that the constitutional amendment of 1987, which created the position of Executive President, vested near-absolute powers in him in critical areas of the constitutional and political process in Zimbabwe, creating a presidential monarch.²⁵ The amended constitution gave the president wide discretionary powers to dismiss parliament without having to justify his decision, and enabled him not to have to seek advice even from his cabinet when conducting state affairs.²⁶ These massive powers were spelled out in Constitutional Amendment no. 7.

While there was basic agreement on the need for a new constitution, there was polarization on what process to follow in crafting one. The resultant stalemate on this issue led to an unprecedented parallel constitution-making exercise by two different bodies. The Zanu PF-dominated exercise in 1999 was represented by a government-appointed Constitutional Commission (CC) that consisted of four hundred members, of whom 150 were parliamentarians. This commission gathered views from the public for about four months and then submitted its findings to President Mugabe. However, the provisions under which the commission was established still gave considerable powers to the president to amend the draft constitution. And this is what subsequently transpired.

The other body was the National Constitutional Assembly (NCA), a nongovernmental organization formed in 1997. The NCA conducted an extensive civic education campaign to explain why an inclusive approach for constitutional reform was necessary. Identifying the limitations of the Lancaster House Constitution, the NCA solicited suggestions and proposals

²⁵ *Sunday Gazette*, Harare, Zimbabwe, March 19, 1995, 4.

²⁶ See John Makumbe and Daniel Compagnon, *Behind the Smokescreen* (Harare, Zimbabwe: University of Zimbabwe Press, 2000).

on what a new constitution should contain. Like the CC, the NCA conducted an outreach program, albeit on a more limited scale, concerning what should form the content of the new constitution. There was a strong element of competition in the gathering of views in the two parallel outreach exercises. The findings from the parallel processes were subsequently woven into two separate constitutional drafts.

Eventually, however, the credibility of the CC exercise was thrown into serious doubt when its draft omitted and misrepresented some of the citizens' views on what the new constitution should contain. For instance, consistent sentiments had been expressed in public hearings as well as in other submissions that the extensive powers of the president should be curbed considerably, that the size of the cabinet should be significantly reduced, and that an independent electoral commission should be appointed. When most of these and other recommendations were ignored, members of the public were deeply disappointed. To complicate matters, the president unilaterally inserted certain provisions, including those on land reform. The draft of the CC was decisively rejected in a vote in February 2000. The NCA had contributed to that rejection through its "No" campaign that found resonance among the electorate. What followed for the next fourteen years was a stalemate on the future direction of the constitutional reform process.

What specific lessons can be drawn from this abortive reform process? The first lesson is that, if the process of constitutional reform is seriously contested and flawed, it is difficult to obtain a constitution that stands the test of time and creates an acceptable contract between a government and its people.²⁷ It is of crucial importance that all major stakeholders (or at least a substantial majority) endorse the reform process prior to its implementation. As one observation team remarked, the debate about the constitution

could have provided an opportunity for Zimbabweans to have taken a deeper look more calmly and soberly into key questions that define their body politic and shape their political configuration: issues that have to do with national unity, power sharing etc. This was a missed opportunity to reach a historic settlement that would constitute the basis upon which the way forward would be charted...²⁸

These sentiments were later shared by Morgan Tsvangirai, leader of the Movement for Democratic Change opposition party, who headed the "No"

²⁷ Roger Austin, "The Zimbabwe Constitutional Reform Process," in *Writing Autobiographies of Nations* (The Hague: Netherlands Institute for Multiparty Democracy, 2009).

²⁸ Centre for Democracy and Development, *The Zimbabwe Constitutional Referendum* (London: Centre for Democracy and Development, 2000), 44.

campaign against the constitution draft.²⁹ He admitted that the constitutional reform debate should have been handled differently and that it was “a lost opportunity.”³⁰

The second lesson refers to the role played by international actors in the constitution-making process, which in the case of Zimbabwe has been extraordinary and contentious, if not intrusive. This complicating intrusion explains Zimbabwe’s almost schizophrenic political environment, “where the language and attitudes of liberal democracy vie with the dogmatic slogans of anti-imperialism, sovereignty and militaristic discipline.”³¹ Constitutional reform should be primarily a national responsibility, even in a globalized world.

The third lesson is the need for an early covenant on a particular mechanism. In Zimbabwe, until the advent of the Global Political Agreement (GPA) of September 2008 that established a Government of National Unity (GNU), there was no broadly shared solid agreement on the guiding principles for reforming the constitution. The idea of agreeing on a particular mechanism, “much less an inclusive mechanism, for settling the agenda, procedures or committees by which a consensus on problems and their solutions might be reached had not been attempted.”³²

Ultimately, the constitutional reform process took a total of fifteen years from 1998 to 2013. The most promising were the years 2008–2013, when the Government of National Unity was in office. The main parties constituting GNU (Zanu PF and the Movement for Democratic Change-Tsvangirai, or MDC-T, formerly known as the Movement for Democratic Change, or MDC) worked under the auspices of parliament, and, by 2010, managed to reach a substantive agreement on major constitutional issues. Although the political temperature remained high during this period, the gathering of public views on the content of the constitution went ahead. The constitutional architects comprising GNU completed their draft in 2012 and presented it to the electorate in a referendum in early 2013.³³ Having mobilized their respective party followers, it was almost a foregone conclusion that the draft would be endorsed.

However, the end of the GNU in mid-2013 in the context of a landslide win by Zanu PF once again has deterred progress toward a timely implementation of the new constitution. The triumphalism displayed by Zanu PF in the post-election period contributed to the breakdown of the interparty consensus on the implementation modalities of the new constitution. Some of the institutions, such as the commissions, envisaged in the draft have taken longer to be

²⁹ Stephen Chan, *Citizen of Africa: Conversations with Morgan Tsvangirai* (Cape Town, South Africa: Fingerprint Cooperative, 2005), 93.

³⁰ Ibid.

³¹ Austin, “The Zimbabwe Constitutional Reform Process,” 85.

³² Ibid.

³³ Lloyd Sachikonye, “Continuity or Reform in Zimbabwean Politics? An Overview of the 2013 Referendum,” *Journal of African Elections* 12, no. 1 (2013), 178-185.

established, while many laws still need to be realigned. Nevertheless, a new version of the constitution has been produced.

Power Struggles and Factionalism in the Post-2013 Period

The party that had so skillfully and ruthlessly exploited weaknesses in the opposition and had increased its parliamentary seats was soon to be beset by a fratricidal power struggle. The comfortable electoral victory became a pyrrhic one as the party split into three factions. The immediate context and precipitating factor was the issue of who would succeed the ninety-two-year-old Robert Mugabe. Easily the oldest leader on the African continent, the autocrat who has ruled for thirty-six years is still reluctant to leave his seat of power.

The power struggles in Zanu PF principally have taken the form of factionalism. Each of the factions tries to achieve the most advantage in the race to succeed Mugabe. The rise of factions has been partly abetted by the lack of trust in the party electoral process to settle contests for leadership, including the party's presidency. The absence of internal democratic procedures has ensured that Mugabe retains the presidency, and that he has sole authority to appoint the vice presidents and senior members of the cabinet who form the party's politburo. On numerous occasions, he has stated that there is only one center of power in Zimbabwe, and that there is no vacancy in the presidency. There is widespread belief that Mugabe also has sought a "Life Presidency," confirmed by his desire to contest in the 2018 election when he would be ninety-four.

While the terms "power struggle" and "factionalism" are used in this study to refer to intraparty contests, other analysts apply the broader term of "power politics," arguing that "in power politics, might makes right. In this form of politics, the main sources of authority are military strength and selective distribution of economic resources. Little room remains for ethical values or constitutional rules to constrain the unlimited exercise of power."³⁴ The concept of power politics aptly characterizes the domestic political behavior of dominant political elites in authoritarian settings. Leaders in these regimes are determined to maintain dominance over opponents and rivals, and they resist independent constraints embodied in the rule of law. Instead, autocrats prefer to employ primal means to attain their desired ends.

President Mugabe is acutely aware of the influence that the war veterans and securocrats wield. Heeding their interests has been a major factor in helping him remain in office. The essence of the policy, which has enabled him to maintain the coercive levers of power, has been well captured by a commentator who wrote:

³⁴ Bratton, *Power Politics in Zimbabwe*, 7.

Authoritarian leaders will always accord special treatment to the armed forces in order to maintain their essential loyalty; even if civil servants sometimes go unpaid, every effort is made to compensate the military. But because autocrats rely heavily on repression, they inadvertently strengthen the hand of the armed forces, who, in turn are able to claim a share of both economic bounty and political decisions.³⁵

The splits and factions in Zanu PF have been reproduced in state institutions, including the bureaucracy as well as the securocrats.³⁶ This is a dangerous development that potentially could get out of hand. Ultimately, the catalyst in the damaging factionalism in Zanu PF is the reluctance of the incumbent president to step down after thirty-six years in power. To that extent, Mugabe is an archetypal African “strong man”—wary of competition and constitutional rule.

The Rise of the Protest Movements

The long and winding journey Zimbabwe has been taking to reach a democratic transition might be getting a little closer to the desired destination since the beginning of 2015, when political and economic protests entered a new activist phase. Whereas in the past most protests took the form of petitions and statements through the media and press conferences or litigation through the courts, in the current wave, the streets have become the principal arena for the expression of opinions. Protests have become more “public” than before. Perhaps the most symbolic and pioneering of this form of public protest is Itai Dzamara, an activist, who used the Africa Unity Square in central Harare as his venue for antigovernment protest.

Itai Dzamara’s one-man demonstrations against the Mugabe regime were brought to an abrupt end in April 2015 when state agents allegedly abducted him. Instead of silencing Zimbabweans, the abduction became the launch pad for other protests in that public square, and in other squares and streets in the capital and in other cities and towns.³⁷ The Occupy Africa Unity Square (OAUS) campaign was thus born. In the words of Itai Dzamara’s brother, “The campaign was an action by young people and other oppressed members of society both politically and economically to reclaim our public space and the future by occupying public spaces, be it parks, streets or squares in their areas and utilizing those for dialogue and action on political and social issues... .”³⁸

³⁵ Ibid.

³⁶ Blessing-Miles Tendi, “State Intelligence and Politics of Zimbabwe’s Presidential Succession,” *African Affairs* 115 (2016): 1-22.

³⁷ Simukai Tinhu, “2016-Year of Failed Uprisings?” *Zimbabwe Independent*, July 22, 2016, 14.

³⁸ Paston Dzamara, “I Will Take a Bullet for a New Zimbabwe,” *Harare: Daily News*, July 4, 2016, 6.

Since then, other public spaces have become venues for protesting against the poor social, economic, and political conditions.

A second set of issues that has generated widespread protests relates to political governance. These protests include the demand that Mugabe, who has ruled for a long time without any economic and political progress to show for it, should relinquish power. This demand is explicitly made by opposition political parties but also by some social movements. The country's grave economic ills are attributed to mismanaged governance and to corruption, while authoritarianism is viewed as the root of repression. Civil society has been particularly vocal against restrictions on social media, while liberation war veterans complain bitterly about marginalization from economic and political processes.

The key actors in the protests have been urban-based groups, especially the youth, the unemployed, small traders, and taxi operators. Some of them assemble into single-issue groups, such as the National Vendors Association of Zimbabwe, the Zimbabwe Teachers' Association, and graduates who form the Coalition of Unemployed Graduates. Key actors who protest against multiple issues, both economic and political, are the Africa Unity Square Occupy movement, the Tajamuka/Sesjikile movement, the National Electoral Reform Agenda (Nera), and the hashtag #This Flag movement.

Headed by a young pastor, Evans Mawarire, the #This Flag movement catapulted to a higher level during the national strike in July 2016. The movement demanded that the issues of corruption and injustice be urgently addressed by the state: "We have to deal decisively and immediately with cases of corruption that are known and recorded especially by ministers. We want them and they must face justice."³⁹ The abuse of citizenry for extortion by the police needs to be stopped.

Political parties, particularly the MDC, have been holding their own marches in cities and towns with renewed confidence and vigor since the beginning of 2016. The predominantly women's Beat the Pots campaign uses pots and pans during its demonstrations against poverty and precarious livelihoods. In general, the interlocking nature of economic and political issues is clear to these movements, hence their demand for broad-based change.

The contemporary protest movement represents a qualitatively higher level of social and political activism compared to earlier phases. While previously much of the activism was limited to civil society organizations such as unions and human rights and women's groups led by professionals, their methods of mobilizing did not enable them to reach out to wider communities. Operating in the 1990s and 2000s, these groups limited their work to documentation of repressive conditions, electoral irregularities, and socio-economic ills. By

³⁹ Bridget Mananavire, "My Safety Lies in Citizens—Mawarire," *Harare: Daily News*, July 16, 2016, 2.

2010, most of these organizations had run out of strategies and drive. In some instances, the bureaucratization or professionalization of the CSOs distanced them from the social base of the citizens.

The new opportunities created since 2015 are based on several developments. First, there is growing awareness that the authoritarianism, incompetence, and corruption of the incumbent regime will not be addressed solely through the activities of opposition parties and electoral processes. The crisis in Zimbabwe has deepened to reach a “tipping point,” where citizens are beginning to overcome fear and reverence of authorities, along with their legendary “docility,” to reclaim their public spaces in order to assert their rights and air their grievances. The term that is often heard among members of the new protest movements is “enough is enough,” referring to the conditions of repression and deprivation. Second, the protest groups draw on the improved 2013 constitution to assert their right to march and demonstrate. The demonstrations provide an arena for them to articulate their causes and interact with other citizens, while the common use of information communication technologies (ICTs) ensures wide coverage of their concerns in the media. Third, the variety of issues for mobilization and protest go beyond the traditional agenda of trade unions, professional groups, and political parties. Local needs such as for public spaces for vending, service delivery, personal safety and security, transport services, and local governance, among others, are resonant issues that have drawn thousands to the streets and squares. This represents a golden opportunity for the protest movements, in conjunction with parties, to link local needs to national development and governance issues, and to motivate their members to agitate for transition and transformation at the national level.

Obstacles to a Democratic Transition

This account has alluded implicitly to some of the key obstacles to democratic transition. The following is a brief summary of the difficulties that hamper progress:

- Resilient authoritarianism embedded in a “deep state” controlled by an alliance of the political elite and the unreformed security apparatus of the army and police;
- Lack of a “useable past” to provide a basis for an inclusive political settlement and an explicit agreement among key parties on the rules of the game;
- Absence or low levels of democratic values, practices, and experiences among both the opposition and ruling party;
- Limited focus on the internal competition for succession to leadership in Zanu PF;

- Narrow concentration on the “regime change” agenda rather than on broader reforms proposed by opposition movements and civil society organizations;
- Exclusive focus on elections as the main avenue of transition; and
- Absence in the discourse on democratic transition of factors such as social structure and level of development as well as the significance of the large rural population whose institutions are “captive” to the state and the ruling party.

Zimbabwe’s resilient authoritarianism is fostered by the military and security establishment that has been a major beneficiary of Zanu PF, while the reluctance to reform and refusal to heed calls for an investigation into the role of the securocrats in violence and abductions have been part and parcel of the Mugabe regime’s rule. Rather than diminishing, the role of the military and security establishment in policy making and implementation has increased, especially since 2000, through a body known as the Joint Operations Command (JOC).⁴⁰

Some analysts have observed that the prospects for inclusive political settlements depends on whether a country possesses a “useable past,” that is, a set of institutional and cultural precedents for peacefully managing political power that leaders and citizens can use as a reference.⁴¹ Furthermore, successful democratic transitions require tacit or explicit agreements among mutually antagonistic forces on the “rules of the game.” The history of colonial rule and the legacy of liberation struggle did not bequeath a “useable past” or common culture and values to buttress an explicit agreement on rules for political contest. While the new constitution is a notable attempt in this respect, the reluctance of the ruling party to implement its provisions unreservedly remains a major block.

The management of a democratic transition presupposes forces or parties that espouse democratic values, practices, and aspirations. This has been lacking not only within the ranks of the ruling Zanu PF but also in most opposition parties. A notable feature of the intraparty politics is the lack of

⁴⁰ See United Nations Development Programme, *Comprehensive Economic Recovery in Zimbabwe* (Harare, Zimbabwe: United Nations Development Programme, 2008); Blessing-Miles Tendi, “Ideology, Civilian Authority and the Zimbabwe Military,” in *Politics, Patronage and the State in Zimbabwe*, ed. Jocelyn Alexander, JoAnn McGregor, and Blessing-Miles Tendi (Harare, Zimbabwe: Weaver Press, 2014); and Ibbo Mandaza, “The Political Economy of the State in Zimbabwe: The Rise and Fall of the Securocrat State,” mimeo (Harare, Zimbabwe: SAPES Books, 2016).

⁴¹ Alfred Stepan, “Tunisia’s Transition and the Twin Tolerations,” *Journal of Democracy* 23, no. 2 (2012): 9-103.

democratic practices and accountability. Internecine factionalism is prevalent within ruling and opposition parties. Beyond viewing elections as an avenue for regime change, or holding on to power, the discourse by both the ruling and opposition parties lacks commitment to broad societal reform. Instead, there is an exclusive focus on elections as a zero-sum game.

Finally, an assessment on the prospects of a democratic transition should not ignore the relevance of the level of economic and social development, particularly the persistence of a large rural agrarian base that makes up about 60 percent of the total population. It is this peasant base that was the main beneficiary of land reform and other forms of state patronage in the post-2000 period, granted to them in return for votes. The urban electorate that opposition parties command is far outmatched in numbers by this rural vote. The challenge for opposition parties and democratic movements is to mobilize voters beyond the small urban constituency to improve their chances for electoral success. In a broad sense, the prospects of democratic transition in Zimbabwe partly depend on structural shifts in the economy and the development process, as well as the creation of an alliance between urban- and rural-based social forces.

Conclusion: Some Scenarios

In an illuminating study of nine cases of transition from authoritarianism to democracy, it was observed that the transitions typically had their origins long before the memorable moment “when the authoritarian regime finally ended. The first steps toward transition often took place quietly, even invisibly: in the political opposition, within the authoritarian regime itself, in civil society or in multiple places.”⁴² Given the diverse circumstances and trajectories of transitions from authoritarian rule toward democracy, there can be no “one size fits all” model or a simple manual of best practices for such transitions.⁴³

The reformers who pioneered the campaign for a democratic change in Zimbabwe in the late 1990s have witnessed a frustratingly cumbersome and slow process, as this essay illustrates. A great deal of explanation lies in resistance to the process not only by Zanu PF but also by the “deep state,” including the securocrats, as we observed above. The following concluding subsections highlight the movement and stasis in the transition process, underlining some partial progress on the constitutional front, the blockage by the Mugabe incumbency to further reform, and the uncertain transition trajectory.

⁴² Abraham Lowenthal and Sergio Bitar, *From Authoritarian Rule toward Democratic Governance: Learning from Political Leaders* (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance [IDEA], 2015), 10.

⁴³ Ibid.

Partial Success of Constitutional Reform

As observed above, a major foundation for any reform and transition is a new constitution that spells out freedoms and their boundaries, the balance of power among branches of the state, the procedures of the electoral system, as well as the role of independent commissions, among other pillars of a democracy. In Zimbabwe, the promulgation of a new constitution in 2013 was a major landmark in the transition process. However, it is not a sufficient foundation on its own. Committed parties across the party spectrum must implement the constitution fully in letter and spirit. These qualities have been in short supply, especially since the ruling Zanu PF has used its comfortable parliamentary majority to delay implementation.

Furthermore, there is the ever-present possibility that a constitution can be rewritten when the incumbent party holds the majority of seats. There are examples of constitutions having been revised to permit more than two presidential terms, as was the case in Rwanda and Burundi, among other countries.

Stasis

While it would be simplistic to attribute the blockage to the transition to a particular individual, it cannot be overlooked that, having amassed a huge power and patronage base, Mugabe is presently a major factor with whom to contend. The factional struggles revolve around the search for advantage in any succession process. The centralization of state power around Mugabe makes him a formidable opponent to contenders both within and outside his party. Ignoring the spirit of the constitution that envisages only two terms, he sees no problem with his hold on power for now seven consecutive terms. Mugabe represents an obstacle to reform both in his party and in the wider Zimbabwean state. The apprehension is that the entry of his wife into active party politics⁴⁴ may be an attempt at dynastic succession. This would not enhance the prospects for a democratic transition.

Disintegration of Ruling Zanu PF Party

Deep internal disagreements, mainly over leadership succession, that surfaced in Zanu PF in 2007–2008 have persisted. The factionalism intensified in 2014, leading to the expulsion of a reform-minded faction that wanted Mugabe to relinquish power. Headed by a former vice president and other leading figures, this rump of Zanu PF has since formed the Zimbabwe People First (ZPF) party, which has been regularly drumming up party support in urban and rural rallies.

Two more factions are competing for power, and as the world's oldest president becomes frailer at 93, there is the danger and likelihood that his

⁴⁴ Grace Mugabe was catapulted to the influential party position of Secretary of Women's League in 2014. Her faction, known as G-40, sought to contest the opposing faction in a series of confrontations in 2015. The contestation continues.

demise could intensify the factionalism and result in the disintegration of Zanu PF. What will happen to the alliance with the securocrats is unclear, especially regarding which faction they might support. The war veteran membership that used to sustain the electoral campaigns of the party have criticized Mugabe's leadership, and hinted that they will support other parties in the 2018 election. In a post-Mugabe era, the party could disintegrate, raising the possibility of some of its reform-minded members joining a possible alliance with existing opposition parties.

Grand Coalition Prospects

It is against this somewhat bleak background that it is not idle to consider the possibility of a Grand Coalition against Mugabe in an election in 2018. If Mugabe runs in the election, his opponents would include not only Morgan Tsvangirai of MDC-T but also the new Zimbabwe People First and possibly other erstwhile Zanu PF supporters who have been alienated. The new protest movements also could play a key role in mobilizing disgruntled social strata to vote for such a coalition. For the first time since independence in 1980, a substantial rump of former ruling party officials and supporters then would be likely to contest Zanu PF in both urban and rural areas, and this could result in the erosion of part of the ruling party's base, as was the case in 2008.

Whether the opposition parties and protest groups would craft a strategic Grand Coalition for electoral purposes remains to be seen. But if it materialized, it would be the first time that a substantial segment of the party of liberation (ZPF) and war veterans would be contesting for power in alliance with other parties. The prospects of a democratic transition would depend largely on the short- and medium-term agenda of such a coalition, were it to win the election. However, the disintegration of Zanu PF would be a historic milestone and a decisive phase in the transition process.