SADC versus the people of Zimbabwe

A P Reeler

When two-thirds of the SADC Presidents, sending their proxies instead, fail to turn up for a Summit that includes both the endless Zimbabwe crisis and the re-emergence of a war in the DRC, how should we understand this? And when the diluted Summit then allows Robert Mugabe to remain in the meeting while a decision on how the Zimbabwe crisis should be resolved is taken, and yet excludes the leader of the majority party in the putative new government, should Zimbabweans take SADC seriously any longer? After all this same august body, the body that endorsed the win by MDC in the March election and invalidated the June re-election of Robert Mugabe, still has the temerity by implication to castigate the opposition, shows deep misunderstanding of the agreement that they brokered, and apparently fails to appreciate the perilous situation in which Zimbabwe finds itself. This appalling lack of consistency in dealing with Zimbabwe must lead many to doubt the continued value of SADC driving any process concerning Zimbabwe.

This is the Alice in Wonderland of African politics, and the defaulting two-thirds, that were not present in Sandton, stand condemned with the colleagues they allowed to conduct this charade of political concern. This is not some back-country dispute of rural people, but a serious political crisis in the twenty-first century, and a crisis in which SADC, as a whole, have demanded that they alone, as Africans, be allowed to solve. This is not politics, but high farce of the kind that drags all of Africa, and not only SADC, into disrepute and ridicule. More seriously, it raises a question about the value of the whole SADC economic community concept and, raises a question for the Zimbabwean people about whether a future democratic Zimbabwe wishes to have anything to do with SADC.

But whether or not a future democratic Zimbabwe will value membership of SADC, there are now exceptionally serious questions about whether SADC is an institution with the gravitas to resolve the crisis, or is merely a club for all the old 'Liberation boys', who value each other over more than they value their respective peoples. For it is clear that this most recent decision of SADC has continued the old game of placing leaders above people.

Consider the following. SADC validates in sequence two of the most disreputable African elections seen in recent decades, those in 2000 and 2001. Both were widely condemned as violent and rigged in favour of ZANU PF and Robert Mugabe, and resulted in international opprobrium: it was elections (and the obviously blunt violence that even SADC experienced at first hand) as well as the destruction of property rights that led to Zimbabwe's isolation, not merely land as ZANU PF endlessly asserts. In neither election could SADC easily call the results free and fair, instead, they resorted to the use of

such damning terms as "a legitimate expression of the people's will", but it was entirely clear which people's will was being expressed and validated.

SADC excused this appalling circumlocution of the truth, by pointing out that the results could be contested in the Zimbabwean courts. It mattered little that the Zimbabwean government resolved this problem by postponing all challenges until the next election, and never even heard the challenge to the Presidential election: Robert Mugabe marched on from 2002 to 2008 without a single challenge to his flawed mandate, and all tainted ZANU PF MPs saw out their terms until 2005. There were no expressions of concern from SADC that the legal process was being wholly subverted, for, of course, this was a sovereign matter.

In 2004, and after the complete failure of the South African mediation during that year, SADC, in Mauritius, passed new standards for judging elections, with great fanfare and even the suggestion by Thabo Mbeki, albeit muted, that these standards would be seriously judged. It was a simple task to judge the 2005 elections as passing the standards, because, as all agreed, including, unwisely, the MDC, these elections were much less violent than the previous two. This ignored the unlevel playing field, the lack of an independent press and electoral authority, and all the evidence of treating, via food manipulation and government-sponsored gifts. Just be less violent and all will be well was the message: subtle subversion of the democratic process is acceptable. As Larry Diamond and Thomas Carothers have endlessly pointed out, there is no genuine rush towards democracy in Africa, and compliance with the barest minimum of electoral standards can keep dictators in place: and no-one more than Robert Mugabe has understood this so clearly. An election, no matter how it may violate normal standards, is always better than no election at all.

So it was a great surprise to all Zimbabweans, and the international community, that, in 2008, SADC both acknowledged the MDC victory in the March election and repudiated the Presidential result in June. It was not complacency that did it, but the simple fact that the results of each polling station could be publicly known, and the greatest departure from all previous Zimbabwean elections sunk ZANU PF in a way that the party could neither avoid or deny. That SADC did nothing but whine at all the delays was a message in itself: this was the point for negotiation, when there was the clear demonstration (at last) that Zimbabweans did not want ZANU PF to govern them any longer.

The implications for all Zimbabweans and a large chunk of Africa were clear: Robert Mugabe was not a recognised President and the MDC were the government. That Robert Mugabe and ZANU PF would not recognise either was hardly surprising, but the million dollar– or should it be quadrillion dollar – question was what would they do with this problem. There were great hopes, now finally dashed and probably forever.

The old loyalties of the liberation struggle elite could not be wished away, was so evident in Sandton last Sunday. Mugabe stays in the room whilst Tsvangirai and Mutambara are sent out like junior school boys while the prefect (Mugabe) consults with the masters: they even have the temerity in their statement to describe Mugabe as President, not President-designate! The old liberation club comes to South Africa, while the others stay away: because they are unwilling to continue the farce or because they are unwilling to confront the club and its geriatric leader, Robert Mugabe?

However, SADC does admit in its response to a legal challenge at the SADC Tribunal that Mugabe is not recognised as President, but this small legality does not stop the summit treating him like one. So *de facto* means more than *de jure*, and to prevent the *de facto* being challenged in the courts – and having to be a witness in Zimbabwean courts – SADC immediately starts negotiations between the two parties. Imagine the Secretary-General of SADC being subpoenaed in a Zimbabwean court challenge by the MDC to explain why SADC did not regard the Presidential election as valid! This is of course pure fantasy, but interesting to fantasise nonetheless.

So SADC seems seriously tainted by plausible evidence that it has not shown an even-handed approach to the Zimbabwe crisis, and has been unduly supportive to Robert Mugabe and ZANU PF. Much of this could have been forgiven at the time of the June Presidential election when SADC quite correctly stated that this was not an acceptable election, and would not recognise the result. The clear implication of this should have been the non-recognition of Robert Mugabe as president, but SADC chose rather to push for negotiations and allowed Thabo Mbeki to pursue his oft-stated predilection for a government of national unity. It is curious that SADC did not pursue this option in March, but charitably perhaps the members thought that Morgan Tsvangirai would win the re-run and save them the problem of dealing with Zimbabwe.

However, all the good will that might be accorded to SADC has disappeared out the window with the recent Summit in Sandton. The inherent contradictions between the old boys club and the aspirations of SADC have emerged with a vengeance.

Firstly, the Summit explicitly recognises Robert Mugabe as President after having rejected the election. Secondly, the Summit refuses to discuss issues raised by the MDC-T, focusing only on the narrow issue of sharing ministries, not even making comment on the altering of the Agreement document. Thirdly, the Summit treats Robert Mugabe as President, allowing him to remain in the closed meeting after ejecting Tsvangirai and Mutambara, thus allowing Mugabe to influence their deliberations. Fourthly, and finally, the Summit then demands a specific decision by Zimbabwe, after years of arguing that Zimbabwe is a sovereign nation and that the problems must be solved by Zimbabweans alone.

SADC's handing of the Summit has attenuated rather than relieved the crisis in Zimbabwe, and therefore what can be the way forward? There are only two credible solutions, both interestingly provided by MDC-T.

The first, the holding of a new, internationally-supervised Presidential election has also been suggested by Botswana, and has the merit that there will be no arguments about executive power and the setting up of a new government. It would throw out the Global Political Agreement [GPA] as being unnecessary.

The second has been provided in the MDC statement following the Summit, and argues that the key to unlocking the GPA is the passing of Amendment 19. This has the merit that the passing of such legislation will be done by the only body remaining in Zimbabwe that has some legitimacy, since the election of the members of the Senate and the House of Assembly was universally agreed to be valid. As the devil in the GPA is clearly in the detail of the needed Amendment and the manner in which it can resolve the problems about power-sharing, the passing of this Amendment – which will require at least a two-thirds majority in the House of Assembly – will overcome most of the problems currently blocking power-sharing. Such an Amendment, because of the required consensus in the House of Assembly, will by-pass any need for SADC interference and any attempt to impose a solution on Zimbabwe. And, best of all, will satisfy both SADC and ZANU PF in their endless litany that Zimbabwe's problems should be solved by Zimbabweans.

All SADC has to do is support one or other of these two options.