Individual confidence and personal security in the 2005 Zimbabwean elections

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Section 1

INTRODUCTION

The concepts relating to one's individual confidence and personal security can be defined from various perspectives. Generally, personal security entails the safety of an individual from harm, attack or violence perpetuated by the environment, other individuals, groups or the state. Personal security is a multi-dimensional and all-inclusive concept, which not only seeks to satisfy a person's survival needs, but also aims at the creation of conditions conducive to the sustenance of a healthy and peaceful life.

Personal security is contextual and therefore should be defined as the product of circumstances affecting a person's being at a given moment. It is best to view the personal security of an individual in the broader context of political security, which, in a way, is a determinant of the latter. Political security and the development of a political culture form the foundation of all other kinds of security.

Security comes with many other human values, among them individual confidence, assurance, belief and certainty. In this set of value judgement processes, individual confidence is the ultimate feeling one gets in being satisfied by a system. In an electoral process, individual confidence is high when individuals perceive the process to be free, fair and just.

To fully appreciate the setting of the 2005 elections it is necessary to understand the historical background of the country and the electoral processes before the 2000 parliamentary elections. Close analysis of the

electoral processes in Zimbabwe since 1980 reveals that there are phases that characterised each election period. An understanding of this history will help to appreciate the polarisation that has prevailed between the main political parties, the Zimbabwe African National Union (Patriotic Front) (ZANU PF) and the Movement for Democratic Change (MDC).

This research was undertaken during a period in which people were preparing themselves for a major general election. The 2000 elections were characterised by intensive conflict and intolerance between the two major political parties. This culture of intolerance seems to have been carried forward to the fifth parliamentary period and as such, the electorate have become suspicious, uncertain and unwilling to divulge information of a political nature.

While traditional and conventional methods are usually applied to research of this nature, this study has had limitations in that a number of unique and manifestly dramatic changes occurred in the political environment between the time the study began and the cut-off date. The study clearly illustrates the level and magnitude of the developments in Zimbabwe in the nine months between August 2004 and May 2005.

The pace of these changes brought with it major challenges among analysts and observers of Zimbabwe's political system. While similar challenges confronted the Public Affairs and Parliamentary Support Trust (PAPST) team in the course of this exercise, it was deemed a worthwhile process because of the importance of the time, the nature of changes and the uniqueness of Zimbabwe and its history in the southern Africa subcontinent. (Despite an 18 March cut-off date being set, a follow-up and rounding-off study will be undertaken post-election to complete the project.)

The 2005 elections are the sixth parliamentary elections since Zimbabwe gained independence in 1980. The first popular elections in Zimbabwe were held after the attainment of independence from colonial rule in 1980 and were held under the Lancaster House constitution, which provided for a bicameral legislature and reserved 20 seats for the minority whites. The election was based on the party-list electoral system that saw ZANU PF winning 63% of the votes (57 seats), the Zimbabwe African People's Union (Patriotic Front) (PF ZAPU) 24% (20 seats) and the United African National Congress (UANC) 8% (3 seats). The major characteristics of these elections were the jubilation and euphoria of the black majority, who were experiencing universal suffrage for the first time. This was a reflection of their increased individual confidence and personal security.

The 1985 parliamentary elections were conducted under the party-list electoral system. The period leading to and after these elections was marred by inter-party conflict, which almost resulted in civil strife. This would have reduced personal confidence and personal security, especially in the Midlands and Matebeleland regions (1981–1987) where armed dissidents operated. In the 1985 elections, ZANU PF won 64 seats (77%), PF ZAPU 15 seats (19%) and the Zimbabwe African National Union (ZANU) 1 seat (1%).

In 1987 ZANU PF and PF ZAPU signed the Unity Accord to form a united ZANU PF party, marking the end of the armed conflict. The constitution was amended, abolishing the provision reserving 20 seats for whites. The Senate was also abolished and an executive presidency was established. In terms of that amendment, presidential elections are held every six years and parliamentary elections after five years. Parliament is now composed of 152 + 1 members, 120 of whom are directly elected to represent constituencies; 10 become MPs by virtue of being appointed governors by the President; 10 represent traditional leaders; and the President appoints a further 12 from society at large. The Attorney General is the 153rd member. It is also important to point out that ordinary people were not always free to express political opinions and individual security had been negatively affected by the dissident menace that had plagued the country.

(Constitutionally, Parliament should constitute 150 + 1 members. Originally, Zimbabwe had eight provinces but two metropolitan provinces were created (Harare and Bulawayo), which necessitated the addition of two more governors to bring that number to ten. The constitution is yet to be amended to address that issue.)

In 1989 a new political party, the Zimbabwe Unity Movement (ZUM), was formed, but this did not deter inter-party conflict in the build-up to the 1990 elections. It must be noted that the 1990 elections saw the country shift from the party list to the first past the post electoral model. The candidate selection process in ZANU PF was democratised with the holding of the party's first self-nomination primary elections in preparation of the revamping of the national electoral model. The outcome of the 1990 elections was that ZANU PF secured 117 of the 120 seats contested, ZUM won 2 seats and ZANU won 1 seat.

In 1995 there was relative calm in the country and the elections were characterised by the absence of an active opposition. ZANU PF won 118 of the 120 parliamentary seats and ZANU won 2 seats. ZANU PF candidates were not contested in 55 constituencies.

In 1990 the government adopted an Economic Structural Adjustment Programme (ESAP). The programme failed to reach the intended objectives, leading to a drastic decline in the standard of living, especially of the working class. The economic hardships led to the formation of the Movement for Democratic Change (MDC), which contested the 2000 and the 2002 elections. In the parliamentary elections ZANU PF won 63 seats, the MDC 57 seats and ZANU 1 seat. These elections were marred by violence and allegations of vote rigging. The MDC argued that the 2000 parliamentary elections and 2002 presidential elections were 'stolen' by the ruling party. Some internal and external observers did not accept the outcome of the 2000 parliamentary and 2002 presidential plebiscite. The non-acceptance of election results by some stakeholders resulted, among other things, in the suspension and subsequent withdrawal of Zimbabwe from the Commonwealth Club made up of former British colonies.

METHODOLOGY

The main methods used for data collection were documentary analysis and review of information generated from secondary sources, including PAPST constituency relations workshops (CRWs) held between October 2001 and November 2004. The purpose of the CRWs was derived from the baseline survey conducted by PAPST in 2001 and from evaluations conducted subsequently. It should be pointed out that the process of determining and responding to the needs of representatives and leaders constitutes a major area of PAPST's activities.

The main beneficiaries of the CRWs were the leaders at constituency level, especially the MPs, traditional leaders, councillors, civil servants, council executive, civic leaders and political party leaders. The documentary sources of information included workshop reports, evaluation reports, and audiovisual data sources. The research also involved fieldwork where focused interviews were conducted during the CRWs with MPs, political party representatives, traditional leaders, local authority councillors, businesspersons, and ordinary members of the community.

Although survey instruments were designed initially, in many instances these were not administered directly because of the sensitivity of the issues that were raised. Under those circumstances the information was collected by indirect methods. The menu of the CRWs was strategically changed to facilitate discussion of issues relating to elections, for example candidate selection, campaigning methods, and violence in intra- and inter-party conflicts. This approach enabled participants to discuss freely

some of the pressing issues in a non-threatening environment as opposed to the use of structured questionnaires. The workshops addressed other topics such as roles of leadership, role conflict, culture, and images and values of organisations.

Policy and institutional activity reviews were also carried out. These involved a review of relevant documents and analysis of secondary data. The documents that were reviewed included Acts of Parliament and political party manifestos.

The research also involved participation in activities organised by or for other civil society organisations. These included activities conducted by the Zimbabwe Election Support Network (ZESN) and the National Association of Non-Governmental Organisations (NANGO), as well as public hearings by portfolio committees.

ZESN is a network of civil society organisations whose major focus is to promote democratic processes and free and fair elections. A series of meetings and workshops were held in the latter half of 2004 to contribute towards the initiation and adoption of SADC principles and guidelines by the government of Zimbabwe (GoZ). As well as the consultative and negotiation meetings in Harare, there was a regional conference organised by ZESN at Victoria Falls, Zimbabwe, which involved government, local and regional civil society groups, and which discussed the draft SADC election guidelines. Two officials from PAPST attended the Victoria Falls workshop in August.

Some of the recommendations proffered at Victoria Falls were incorporated into the SADC election principles and guidelines in Mauritius. Contributions from that meeting were also taken into account as part of a wider consultation process during the review of Zimbabwe's electoral legislation in October/November 2004.

Through its strategic partnership with the Institute of Leadership and Governance (IPLG) at Africa University in Mutare, Zimbabwe, PAPST also received support for this project.

THE SOCIO-ECONOMIC AND POLITICAL CONTEXTS IN ZIMBABWE

In the transition from Rhodesia to Zimbabwe a number of factors influenced the development of the political environment, security and individual confidence. Many historical legacies still influence the political context and human security issues in Zimbabwe today. Such factors include colonialism, land policy, the protracted armed liberation struggle and subsequent attainment of political independence, women in politics,

constitutional review, economic reform programmes and, recently, the deepening economic crisis and the proposed turnaround strategies.

The colonial system effectively resulted in the subjugation of indigenous systems, which were replaced by Western systems of governance and values. The colonial system was meant to meet the objectives of the minority colonisers at the expense of the indigenous majority. The minority settler regime had little regard for human rights and the personal security of the indigenous population. Under colonial rule individual confidence and security were low, as the legal system and practice were meant to deny the indigenous people any rights on issues of governance.

The oppressed African population of Zimbabwe took up arms and waged a protracted armed struggle in a bid to gain independence from colonial rule. Taking up arms in 1963 followed a series of attempted settlement talks that failed to deliver the demand for sovereignty by indigenous Zimbabweans. The armed struggle led to negotiations that culminated in the Lancaster House Constitutional Talks of 1979 at which the Conservative government of Mrs Margaret Thatcher agreed to grant independence to the former colony of Southern Rhodesia. Independence on 18 April 1980 followed an election held in March of the same year. The attainment of majority rule directly increased the confidence of the indigenous majority. Independence meant freedom from racial abuse, freedom of movement, the right to train for careers that had been reserved for the white minority population, and, more importantly, the right to vote and choose their representatives. At independence there was a conscious effort to reverse the colonial laws, policies, and structures. Voter turnout at the 1980 general elections was very high. People had confidence in their ability to change the system for the betterment of their lives. The extension of electoral franchise in 1980 generally created the need for the establishment of new structures that responded to the needs of the majority indigenous population. Most reforms since independence have been targeted at correcting colonial practices and systems, and oppressive legislation.

In 1989 an opposition party, the Zimbabwe Unity Movement (ZUM), was formed. In the run-up to the 1990 elections many intellectuals began to participate in national politics. The 1995 elections were contested by a number of Independents. Though the environment was largely peaceful and provided a good context for nurturing personal confidence and security, the elections were characterised by voter apathy.

The 2000 parliamentary election and 2002 presidential elections were characterised by the emergence of a formidable opposition party in the form of the MDC. There was increased interest in national politics and

more voters turned up. The 2000 parliamentary elections were tightly contested by ZANU PF and the MDC.

There were few women candidates, with the result that the 2000 elections produced fewer women parliamentarians. The smaller number of women MPs should have undermined the confidence of the female politicians, as it seems the entry cost to higher office had been increased and women were losing the ground they had previously gained. However, after a ZANU PF Congress resolution that one of the two vice-presidents of the party should be a woman, Mrs J T R Mujuru was appointed one of the two party vice-presidents. This action will increase the confidence of women to scale the leadership ladder in the public and private sectors.

THE ELECTORAL PROCESS

INDIVIDUAL CONFIDENCE AND PERSONAL SECURITY DURING ELECTIONS

Individual confidence and personal security are critical factors for citizen participation in the electoral processes of a democratic state. Elections for their own sake can be meaningless in whatever nature of state, democratic, despotic or otherwise. To be worthwhile the electoral process should promote democratic governance. It should reconfirm the equality of people by enabling them to make an individual choice about who will govern them and how.

Elections are at the core of democratic governance, especially where universal adult suffrage determines the political leadership of a country. If elections are this significant, it is imperative that the socio-economic and political playing fields should not only be levelled for the participation of political parties, but, more importantly, should allow the voters to have confidence and guaranteed personal security during and after the election.

The onus is on the government to ensure the existence of a non-violent political environment in which free and fair elections are conducted. Citizens have an equally important duty to exercise tolerance and display non-violent behaviour. Ultimately it is government's responsibility to put into place mechanisms and processes that promote peaceful campaigning, human security, safety, and an adherence to lawful electoral procedures.

SADC PARLIAMENTARY FORUM

Among the notable regional initiatives aimed at introducing common electoral practices within SADC countries, the SADC Parliamentary

Forum (SADC PF) drafted and presented norms and standards for elections in the southern African region in early 2001. These norms and standards, which were adopted by the SADC Parliamentary Forum Plenary Assembly in Windhoek, Namibia, on 25 March 2001, noted that democratic governance leads to political stability and economic gains. Since the advent – or re-introduction – of multiparty politics, there have been significant gains in promoting democratic governance in most southern African nations. SADC PF noted that much remains to be done to improve the political environment in which elections are conducted, despite the gains made by a number of countries to date.

It should be noted that in spite of the existence of SADC PF and the outstanding work carried out by it, the organisation's legal status, political space and functions remain contentious in a number of countries in the SADC region. Part of this legacy stems from the focus of the forum, which has been acting as the region's chief election monitor.

It is noted that in southern Africa, neither constitutions, nor the electoral systems, nor the practices of most institutions have been aligned to the new multiparty democratic culture. Levels of tolerance of contesting views are still too low, including the empowerment of women to participate in decision-making processes. When examining the factors that undermine the participation of women in elections, as well the influence of individual confidence and personal security, one should look beyond the electoral process and take into account the socio-economic and political environment of a country.

CONCEPTS RELATED TO INDIVIDUAL CONFIDENCE AND PERSONAL SECURITY

The concepts relating to an individual's confidence and personal security can be defined from various perspectives. Wohlgenmuth, Rothschild and Lennrt observe that the geometry of common or extended security is complex. They view this complexity as one that:

> "... usually involves an extension of the domain of security (to the security of the individuals and groups as well as nations), of the sources of security (international, local and non-governmental, as well as national governments), and of the characteristics of security (economic, social, political, environmental, and human, as well as military)".[2]

Generally, personal security entails the safety of an individual from harm, attack or violence perpetuated by the environment, other individuals,

groups or the state. Although personal security is multi-dimensional and an all-inclusive concept, which not only seeks to satisfy a person's survival needs but also aims to create conditions conducive to the sustenance of healthy and peaceful life.

One cannot define personal security in a vacuum, as it is a product of circumstances affecting a person's being at a given moment. It is best to view the personal security of an individual in the broader context of political security, which in a way is a determinant of the latter. Wohlgenmuth, Rothschild and Lennrt argue that political security and the development of a political culture are the foundations of all other kinds of security.[3]

Security is associated with many other human values, among them individual confidence, assurance, belief and certainty. In this set of value judgement processes, individual confidence is the ultimate feeling one obtains from being satisfied by a system. In the electoral process, individual confidence is high when individuals perceive the process to be free, fair and just.

A country's legal and political institutions are critical in evaluating the electoral process. Ultimately, an individual's judgements are made in view of how the system enhances individual rights and human development. Depending on the degree of satisfaction, an individual can get assurance when he/she approves of the system in place and may end up with a belief if the system is consistent over time. An individual has more confidence in the electoral process if it is guided by clearly laid-down procedures that are applied consistently.

The UNDP (United Nations Development Programme) Development Report 2000 suggests that individual rights and development have a desired common vision and common purpose "to secure the freedom, well-being and dignity of all people everywhere – freedom from fear of threats to personal security, from torture, arbitrary arrest and other violent acts".[4]

Elections should specifically deal with democracy in order to facilitate living well in a mass society.[5] In this case one could theorise that the election process is linked to the quest for stability and development.

STRUCTURES AND INSTITUTIONS CONDUCTING ELECTIONS (1980–2004)

Since 1980 Zimbabwean elections have been conducted according to the constitutional provisions under the guidance and direction of the

Electoral Supervisory Commission (ESC); the Registrar General's Office (RG) Office); the Delimitation Commission (DC); and the Judiciary.

ELECTORAL SUPERVISORY COMMISSION

The ESC is mandated to supervise the registration of voters and conduct of elections of MPs. Any proposed Bill or statutory instrument relating to the registration of voters or to the election of MPs falls under its purview. The ESC is responsible for preparing reports to the President concerning matters under its supervision. The commission is meant to operate as an independent, impartial constitutional body whose entire membership is appointed by the President. The impartiality and degree of independence of the ESC have been questioned and challenged by various stakeholder groups, including the opposition parties, human rights activists, and constitutional experts. These concerns resulted in revised provisions in the draft constitution that was rejected in February 2000.

It is apparent that public confidence, and certainly that of individuals, is compromised by any arrangement perceived to favour the Executive and be insensitive to the concerns of private citizens.

THE DELIMITATION COMMISSION

The functions of the DC are to determine the limits of the boundaries for the 120 constituencies into which Zimbabwe is divided for elections. The President appoints the DC in consultation with the Judiciary. Like the EDC, it is very difficult to appreciate how the DC can remain independent of the influence of the appointing authority. Allegations of gerrymandering when drawing up constituency boundaries have been levelled at the ESC.

Thus, the degree of independence of this commission still requires improvement.

THE REGISTRAR'S GENERAL'S OFFICE

The RG's Office is primarily involved with the registration of births and deaths in the entire country. Additionally, the department is responsible for the issuing of travel documents and national identification documents, as well as the registration of voters. Until the 2005 elections it was responsible for the administration of local government and conducting national elections. Being a unit of state bureaucracy the

department is viewed as being aligned to the Executive, and its role in the administration of elections has often caused contention among stakeholders.

POST-INDEPENDENCE ELECTIONS

The first popular elections in Zimbabwe were held in 1980. The Lancaster House constitution provided for a bicameral legislature, that is, a House of Assembly (the Lower House) and a Senate (the Upper Chamber). The constitution also provided for a titular president and an executive prime minister. The 1980 elections were based on the party-list electoral system.

Sithole observed that:

"… under the system the country was divided into eight electoral districts to encourage parties to nominate candidates for each district. In turn, each district was allocated a number of seats based on the estimated number of voters in that district. A party had to obtain at least 10% of the votes cast in any election district for it to be eligible to have seats allocated in that district."[6]

In the 1980 elections ZANU PF won 63% of the votes (57 seats). PF ZAPU obtained 24% (20 seats) and UANC 8% (3 seats). The other 20 seats were reserved for whites in terms of the Lancaster House constitution. Cowen and Laabso observed that although intimidation was not restricted to any particular party, the British governor for Rhodesia concluded that activities of the Zimbabwe National Liberation Army (ZANLA) constituted the main constraint against peaceful electoral campaigning.[7]

Sithole asserts that people were left without any doubt that peace meant a ZANU PF victory. By voting for ZANU PF, the majority voted for peace.[8]

In general, the 1980 elections were a watershed in the Zimbabwean history, as they ushered in independence and majority rule for the first time. The elections enhanced individual confidence and personal security as people looked forward to the prospect of peace, security, prosperity and self-determination. In the period afterwards followed the declaration of the policy of reconciliation and formation of a government of national unity, which included representatives from the belligerent forces. This increased investor confidence and personal security. However, this

scenario was short lived because of the 1981–1987 disturbances, which culminated in near civil war between the former liberation movements ZANU PF and PF ZAPU. In this period a culture of conflict, intolerance, violence, fear and silence prevailed.

The 1985 parliamentary elections were the last to be held under the party-list electoral system. The elections were allegedly marred by the violence that had begun just after independence, in the 'dissident' era (1981–1987), when many people died as a result of activities of 'dissidents' and the Zimbabwe National Army (ZNA). The dissidents were, in the main, breakaways from the Zimbabwe People's Revolutionary Army (ZIPRA), who had refused to come into the fold.

> "Many were involved in the ZIPRA uprising in Bulawayo in February 1981, and thereafter took to the bush. The 1985 elections were conducted in a polarised environment as a result of this civil strife and were subsequently won by ZANU PF, which acquired 64 seats (77%), PF ZAPU 15 seats (19%) and ZANU 1 seat (1%). But individual confidence was highly compromised."[9]

The political clashes were concentrated in the Midlands and Matebeleland regions, both PF ZAPU strongholds. The situation of near civil war in some parts of the country undermined individual freedom and security. It also curtailed economic growth and freedom of movement.

The 1987 Unity Accord between ZANU PF and PF ZAPU marked the end of the dissident era as Senior Minister Joshua Nkomo, leader of ZAPU, "pledged to intercede with the bandits and ask them to give themselves up, with the promise that they would be rehabilitated".[10]

After the signing of the Unity Accord there was peace and freedom once more in the country. The 'togetherness' implied in the Unity Accord improved the sense of individual security and confidence to express political opinion.

The constitution was amended at almost the same time in order to abolish the provision reserving 20 seats for whites. The amendments abolished the party-list electoral system and this was replaced by the single-member, first past the post electoral system. The Senate was abolished and an Executive Presidency was established. According to that amendment, presidential elections are held every six years and parliamentary elections every five years.

The opposition Zimbabwe Unity Movement (ZUM) was formed in 1989 and gained its strength from the allegations of corruption

and the deteriorating macroeconomic fundamentals. During the 1990 elections violence undermined individual security, as the electorate were vulnerable to physical harm.

A number of intellectuals entered the field of national politics and went on to contest the elections. Most of them joined the ruling party and some were appointed as cabinet ministers. This was a sign of confidence by the intellectuals in campaigning for political office when previously they had refrained from participating because of the characterisation of politics as a dirty game. ZANU PF secured 117 of the 120 seats contested. ZUM captured nearly 20% of the votes but won only 2 seats. ZANU won 1 seat.

In 1995 the election environment was largely peaceful, though there was marked voter apathy. ZANU PF won 118 of the 120 parliamentary seats and ZANU Party the remaining 2 seats. Of the seats secured by ZANU PF, 55 were unopposed.

Following the outcome of these elections, there were claims that the voters' roll had not been updated. Examples were cited of registered people whose names did not appear on the voters' roll, names that appeared twice, and those of people who had died years earlier. This period was marked by indifference by most of the electorate. It is probable that many individuals had low levels of confidence in the electoral system as it did not easily accommodate or encourage alternative political viewpoints.

The period after 1995 was marked by a sharp decline in individual living standards as a result of the unsuccessful Economic Structural Adjustment Programme (ESAP). The resultant economic hardships led to spontaneous demonstrations that eventually led to the formation of civil society groups that sought to challenge the sitting government, which they accused of financial misadministration. There were intense demonstrations that compromised individual security, especially that of property owners, as there was rampart looting and destruction of private property. On the other hand these demonstrations increased individual confidence as civil society became more organised and struggled to change the status quo. The formation of the MDC in 1999 from a broad alliance of civil society groups boosted the confidence of the working class, as it was seen as a vehicle to replace the sitting government, especially as it had been formed on the eve of the general elections.

The 2002 presidential elections were almost a repetition of the 2000 parliamentary elections. There was high confidence, especially

among urban voters, who thought they would accomplish what they had failed to do in the 2000 elections. However, the outcome was different from their anticipation of victory. ZANU PF's candidate, incumbent president Robert Mugabe, won the elections. Allegations of vote rigging led the MDC to appeal against some of the results. The process was judged to be not free and fair by a number of observers, including the Commonwealth. That led to the suspension of Zimbabwe from the Commonwealth and its subsequent 'withdrawal' from the Commonwealth Club. This was followed by targeted sanctions imposed by the European Union and the USA, including travel bans on ZANU PF and senior GoZ officials. This left civil society dejected as people felt that the outcome was determined by what were perceived to be unfair electoral laws, whilst others cited the need to overhaul the constitution. The 2005 parliamentary elections were thus held in a polarised environment as a result of these factors.

SUMMARY OF THE FIVE POST-INDEPENDENCE PARLIAMENTARY ELECTIONS

Table 1 Election results of the five post-independence parliamentary elections

Political party	1980	1985	1990	1995	2000
ZANU PF	57	64	117	117	62
PF ZAPU	20	15	–	–	–
ZANU Party	0	1	1	2	1
MDC	–		–	–	57
UANC	3	0	0	0	0
ZUM	–	–	2	0	0
RF/CAZ	20	15	–	–	–
IZG	–	4	–	–	–
Independent	0	1	0	1	0
Total	100	100	120	120	120

RF indicates Rhodesian Front (then Republican) Front, later renamed Conservative Alliance of Zimbabwe. The Independent Zimbabwe Group (IZG) splinter group from Ian Smith's CAZ contested the reserved 20 seats.

Source: Adapted from Richard Saunders, *Never the same again: Zimbabwe's growth towards democracy 1980–2000*, Richard Saunders, Harare, 2000.

Table 2 Zimbabwe parliamentary elections: popular vote and turnout (% of valid votes cast) between 1980 and 2000

Party	1980	1985	1990	1995	2000
ZANU PF	62.99	77.19	75.4	81.36	48.45
ZAPU	24.11	19.31	-	-	-
ZANU Party	2.01	1.25	0.85	6.50	
MDC	-	-	-	-	47.06
UANC	8.28	2.24	0.44	-	-
ZUM	-	-	16.6	-	-
Independent	-	-	0.34	5.86	
Forum	-	-		6.28	-
Total votes ('000)	2.650	2.893	2.055	1.404	
Turnout (%)	98+%	97.3%	42.8%	53.9%	

NB: Figures for the 'white roll' in 1980 and 1985 are not included.
Turnout % is as % of total number of registered voters.
The 1980 registered voters are estimated, as there were no registration figures.
In 1995 only 65 of the120 constituencies were contested.
In 2000, 37 ZANU PF constituencies were legally contested for reversal.

Source: Adapted from Saunders, op cit.

THE SADC PRINCIPLES AND GUIDELINES ON ELECTIONS

The practices followed in conducting elections in Zimbabwe have evolved since independence. This evolution has included participation in regional and international reviews on conducting elections. SADC leaders adopted key principles and guidelines on democratic elections at a meeting in Mauritius in August 2004. According to SADC, the development of the principles and guidelines governing democratic elections aims at enhancing the transparency and credibility of elections and democratic governance as well as ensuring the acceptance of election results by all contesting parties.

It is pertinent to note that SADC member states agreed to observe the following principles and guidelines in the conduct of democratic elections:

• full participation of the citizens in the political process;
• freedom of association;
• political tolerance;

- regular intervals for elections as provided for by the relevant national constitutions;
- equal opportunity for all political parties to access the state media;
- equal opportunity to exercise the right to vote and be voted for;
- independence of the judiciary and impartiality of the electoral institutions;
- voter education;
- acceptance and respect of the election results by political parties proclaimed to have been free and fair by the competent National Electoral Authorities in accordance with the law of the land; and
- challenge of the election results would be as provided for in the laws of the land.

In early August 2004 the MDC threatened to withdraw from the 2005 parliamentary elections unless the electoral laws were amended to conform to the SADC principles and guidelines that were agreed in Mauritius. The MDC argued that the electoral laws were flawed and apparently biased in favour of the incumbent ZANU PF party and its government. The MDC requested an extension of the election date to allow for full installation of these principles and guidelines. The government's response was that it would be illegal for ZANU PF to remain in power beyond the date sanctioned by law. The ruling party also cited the provisions for electoral practices that were contained in the rejected draft constitution proposed by the government in February 2000. It was pointed out that the rejected constitution contained provisions that would have provided a more favourable electoral environment had they been adopted ahead of the 2000 parliamentary and the 2002 presidential elections.

ELECTORAL LAW REFORMS

The government of Zimbabwe (GoZ) accepted and ratified the SADC principles and guidelines after the meeting in Mauritius in August 2004. In fulfilment of these, the GoZ enacted two new electoral laws, the Zimbabwe Electoral Commission Act (Chapter 2:12), and the Electoral Act (Chapter 2:13). These laws were passed with input from various stakeholders, including the opposition parties and the NGO networks.

The ZEC Act created the Zimbabwe Electoral Commission consisting of five members (and a secretariat) who are responsible for the conduct of all elections in Zimbabwe.

The ZEC commissioners are appointed from a list submitted by a special parliamentary committee comprising representatives from the political parties that currently have seats in the Zimbabwean Legislature, namely ZANU PF, MDC and ZANU Party.

The Electoral Act (Chapter 2:13) replaces an Act of the same name (Chapter 2:01). This legislation provides for the setting up of the Electoral Supervisory Commission (ESC) and its functions with respect to monitors and observers and for the duties of the ZEC towards the Electoral Supervisory Commission, among other responsibilities. The passing of these two Acts was characterised by long sessions of parliament at which there was vigorous debate and several amendments had to be negotiated.

In addition, and as a response to concerns raised by the electorate and civil society, a number of measures have been put in place to ensure an environment that is conducive to free and fair elections. It may be important to note, here, that PAPST has a firm conviction that the use of free and fair as terms to describe election outcomes does not do justice to the following:

- zero tolerance for violence among the political contestants/parties;
- increased access to media for political parties for both free and paid airtime coverage;
- setting up of an electoral court to hear expeditiously any matters related to elections;
- provision by the government, under the Political Parties Finance Act, of the equivalent of more than R3 million each to ZANU PF and MDC for the 2005 campaign; and
- the annual appropriation for both parties from the national fiscus for 2005.

In January 2005 the MDC announced its intention to contest the March parliamentary elections, albeit under protest. This has to some extent contributed to individual confidence and personal security, since before that statement, many voters felt that it would be a one-sided race that would not genuinely reflect their choices or be a real contest.

DIASPORA VOTE (PROVISION FOR NON-RESIDENT ZIMBABWEANS)

Though there are no accurate figures, it is estimated that about four million Zimbabwe citizens live outside the country, mostly in South Africa, the UK and the US. Up to 60% of these individuals are probably eligible to vote. Zimbabweans outside the country contribute to the

economy through remittances via the 'home link' programme.

There has been ongoing debate about whether non-resident Zimbabweans should be allowed to vote in the March 2005 poll. The present government has cited a number of legal, administrative and logistical constraints that make it difficult for elections to be conducted outside the country. They have indicated that the travel bans imposed on leaders and state bureaucrats who are associated with ZANU PF create a situation that militates against adequate preparations for and supervision of any polls that are held externally. The government has conceded to postal voting only by officials serving abroad in diplomatic missions and uniformed personnel on national or international duty.

It was clear that under the present legal framework and political context other non-resident Zimbabweans would not vote in the 2005 parliamentary elections.

POLITICAL DEVELOPMENTS

The colonial administration's control was based on separating the races and enacting different laws and providing different facilities for the various racial groups. The African people were confined to areas with poor soil that were 'reserved' for them and were not permitted to be permanent residents in the reclassified 'European areas'. Suffrage was limited to non-blacks. Africans could not take part in the electoral process and any elective bodies established for black people at sub-national level were necessarily advisory. Under such a system individual confidence was low and personal security a challenge. Instead anger and frustration, among other reasons, drove the African population to take up arms against the colonisers.

The independence from colonial rule that was attained in 1980 ushered in a new dispensation. Universal suffrage was extended to all adult citizens and the restrictive racial laws and policies were amended and repealed to accommodate the aspirations of the majority indigenous population. For the first time in a century the indigenous people felt free and in charge of their destiny. Consequently individual confidence and security rose significantly. The people had confidence in their ability to change the system, hence the very high voter turnout in the 1980 general elections.

ZANU PF, ITS POLICIES AND PERFORMANCE

On attaining power in 1980, the ZANU PF government took some positive steps towards nation building. In 1980 ZANU PF established

a government of national unity that included PF ZAPU and white politicians in the cabinet. The new government integrated former Rhodesian ZANLA and ZIPRA forces to form a single armed force, the Zimbabwe National Army (ZNA). The police were reconstituted as the Zimbabwe Republic Police (ZRP).

On the eve of independence the Prime Minister, Robert Mugabe, made an impassioned plea for national reconciliation among all former warring combatants.

> "These acts of inclusion and political tolerance were matched by impressive steps towards addressing the severely unequal and intolerable differences between the economically privileged minority, and the impoverished black majority. In this regard, the government invested heavily in education, health and other social services in the first half of the 1980s."[11]

The ZANU PF policy of reconciliation and the establishment of a government of national unity greatly raised personal confidence and security among black and white people. Former enemies could cooperate for the progress of the nation and the policies of the new nationalist government could bring about political stability.

The government introduced free compulsory primary education. There was also massive expansion in secondary schools and teacher training:

> "… primary schools nearly doubled between 1979 and 1985 (from 2,401 to 4,324), with the number of teachers (and notably trained teachers) also rising rapidly from a total of 28,455 teachers in 1980 to 63,718 in 1995. Secondary school expansion was even stronger. Enrolments went from 66,215 in 1979 to 148,690 by 1981 with the number of secondary schools increasing from 177 to 694 over the same period. This expansion would continue into the 1990s, with teachers coming to make up the largest single sub sector within ranks of government employees."[12]

At the same time an extensive system of community primary health care was developed. The provision of social services to the previously underprivileged had the effect of raising confidence and security among the population as their access to essential social services was guaranteed.

From 1980 to 2000 all parliamentary elections attracted the attention and participation of a number of political parties. It was and is easy for

political parties to participate, as the law does not require registration at the time of formation. However, the ruling ZANU PF party had a clear majority until the 2000 elections, when the MDC won a substantial number of seats in the House of Assembly and various local authorities, including the municipalities of Harare, Bulawayo and Gweru.

Since assuming political power in 1980 ZANU PF has been guided by the desire to consolidate its political gains and to maintain power for as long as the party can secure votes at elections. This is not unique to ZANU PF, but is characteristic of political parties and their activities all over the world.

The leaders of ZANU PF have worked hard to ensure that with each election the party maintains a significant parliamentary majority to enable it to deliver on its election promises.

Evidence from some of the PAPST CRWs indicated that many rural people were confident that ZANU PF would be able to return the country to economic and political stability. They cited the land reform programme as an important and effective empowerment tool, which would help to turn around the economy and the country's fortunes. The GoZ's efforts to fight corruption and reduce inflation were hailed as major milestones on the road to recovery. Supporters of ZANU PF felt secure and confident in participating in the 2005 elections to ensure that their party wins and continues to deliver 'progressive programmes'. It remains to be seen how some of the major resource and capacity constraints will be tackled so that the people's expectations can be realised.

MDC, ITS FORMATION, POLICY AND PERFORMANCE IN THE 2000 PARLIAMENTARY ELECTIONS

The Movement for Democratic Change (MDC) was formed in September 1999 under the leadership of former Zimbabwe Congress of Trade Unions (ZCTU) secretary general Morgan Tsvangirai. It has been stated that the MDC emerged from the anger, frustrations, despondency and anxieties of urban-based Zimbabweans over the fast-deteriorating standard of living and frustrated expectations of independence. Most of the MDC leaders came from labour unions and civic groups. The ZCTU had voiced discontent with the deteriorating economic situation and successfully organised 'mass stayaways' as one of their strategies to secure redress from the state. Some of the leaders of the MDC came from the National Constitutional Assembly (NCA), an unregistered pressure group that has been advocating a constitution process driven by civil society since 1997.

From its formation the MDC has received substantial financial and material backing from white landowners, industrialists, the labour movement, civil society and certain Western countries. The party adopted an externally based policy according to which it mostly looks outside the country for support to entry into government. For any major contribution to national issues the MDC has found it a viable strategy to lobby SADC, African leaders and the EU with the hope that they will exert influence on the ZANU PF government. However, this external policy led to the unity blunder when the MDC leader called on South Africa to cut off critical energy supplies as a way of forcing the ZANU PF government out of office. The MDC has maintained close relations with labour unions and occasionally has called for successful 'mass stayaways'.

CONSTITUTIONAL REVIEW AND REFERENDUM – BACKGROUND AND PROCESS

The ZANU PF annual conference in Bulawayo in December 1996 began the debate on the need to amend the 16-year-old constitution that had already been amended more than fourteen times. The main reasons for the debate centred on the provisions of land and property rights, which were inextricably linked.

The debate continued at the 1997 ZANU PF annual conference in Mutare. The issue was eventually acted on decisively at the ruling party's annual conference in Gweru when a three-member task force comprising the late Dr Edson Zvobgo, the Hon Emmerson Mnangagwa and the Speaker of Parliament, Dr Cyril Ndebele, was set up to work out modalities for reviewing the constitution.

A similar initiative was started in 1997 by civic society organisations encompassing human rights groups, religious groups, opposition parties and labour unions, which held a series of meetings to discuss the proposals for a new constitution. Their major argument was that the existing constitution, which had been adopted at Lancaster House in 1979, needed to be updated.

The group officially launched the National Constitutional Assembly (NCA), an externally sponsored initiative, in January 1998. Its three-pronged strategy on constitution-making involved "education, mobilisation and awareness media and publicity" as well as "advocacy and linkages towards a people centred constitution".[13]

In May 1999 the government set up a Constitution Commission (CC), which included all MPs and more than 300 other people representing civil

society interests. The commission was given 180 days in which to collect evidence and produce proposals for a new Zimbabwean constitution. The President indicated that the product of the commission's work would be put to a national referendum in order to obtain people's approval before enacting it. The CC had two main mandates. The first of these was to review the Zimbabwe constitution as amended, paying particular attention to the distribution of powers among the three pillars of state, that is, the Executive, Legislature and Judiciary. The second mandate involved several activities, the primary aim of which was to collect the views of the public through a process of consultation and distil them into a draft constitution.

The NCA refused to be part of the government-appointed CC, claiming that this arrangement excluded key stakeholders such as trade unions, women's groups, the youth, and political and human rights organisations. The NCA also claimed that the commission's membership was largely in favour of ZANU PF, as all MPs, of whom 147 belonged to ZANU PF, were eligible for membership. This proved to be shortsighted, because the commission eventually had more than 420 members and the product it tabled contained provisions that were far-reaching compared to those that have remained in place over the past five years.

The NCA and newly formed MDC party, together with the sympathetic white farming community and civic groups, campaigned vigorously against the draft constitution. They agitated for more radical reforms, especially limitation of the powers of the president. They were also unhappy with a clause in the proposed new constitution on acquisition of land to correct historical imbalances.

The referendum on the constitution was held on 12 and 13 February 2000. Of the 1,284,670 votes cast, 687,122 (53,49%) were opposed to the proposed new constitution, while 561,151 (43,68) were in favour. The remainder were spoilt papers.[14]

Political analysts, including those who agitated for the 'No' vote in the constitutional amendment referendum, have argued with the benefit of hindsight that the referendum results were not based on the proposed constitution. The debate between those 'for' and those 'against' the proposed constitution was raised to a level beyond the desirability of the new constitution to the desirability of the sitting government.

> "In essence, the government had taken, and lost, a major gamble by subjecting the draft constitution to a referendum. Many voters cared less about the referendum being a test of acceptability of the proposed law. To

them, the referendum was about gauging the government's popularity, of which opinion was low."[15]

It has since emerged that groups such as the MDC and civic groups that campaigned for a 'No' vote are now agitating for reforms that had been adequately catered for in the rejected draft constitution. The 'No' vote during the constitutional referendum signalled a major turning point in Zimbabwe's political and human rights landscape and triggered a number of events. The referendum result was followed immediately by 'spontaneous' occupation of white-owned land by war veterans. Government amended the constitution to facilitate the acquisition of farms without paying for land but only for improvements and developments.

There was also gross polarisation of issues, to which the media added spur and impetus as well as bias. The media were divided along partisan lines. The public media tended to side with government. Even when constructive criticism was needed, this was not given.

The private media became pro-opposition and condemned everything that was done by government. There was an onslaught on government activities and programmes from the international community. This situation left people at the mercy of the media houses. The confidence of individuals in making informed decisions was highly compromised. Ordinary people had to read between the lines to glean the truth, because most issues had to be viewed as pro- or anti-government.

There was unprecedented violence between major political parties at the 2000 parliamentary and 2002 presidential elections. This violence threatened to spill into the 2005 elections, as political intolerance remained high and effectively undermined personal security as candidates and voters could not be guaranteed against harm.

The growth of political intolerance seriously reduced individual confidence and security in participating in politics. It became very risky to put on party regalia.

The Public Order and Security Act (POSA), which was promulgated in 2001, compromised freedom of association, as permission has to be sought for any political meeting.

THE LAND ISSUE

The issue of land has been a problem for successive colonial governments and the independent Zimbabwe government. The colonisation of

Rhodesia included the forcible dispossession of Africans of land by European colonisers. Europeans took possession of the prime land and 'reserved' the least fertile land for Africans. Land was one of the major issues that drove the Africans to take up the armed struggle and was also contentious at the Lancaster House constitutional negotiations in 1979.

The Lancaster House constitution contained clauses that prevented the new government from addressing land issues within the first seven years, when whites were guaranteed 20 seats in parliament. Conditions specified the following:

- Government could only acquire land on a willing buyer, willing seller basis.
- Owners of land had to be paid promptly, that is, within 90 days of the sale.
- The seller had to be paid in a currency of his or her choice.
- The seller could withdraw from the sale without prejudice, provided the reasons for so doing were not frivolous.

Until compulsory acquisition was formally initiated in early 2000, land and property rights were linked in the constitution as provided for in the Lancaster House Agreement. Up to 1999, nearly two decades after independence, the government strictly observed the ownership of land, especially privately owned farms and commercial estates. Between 1980 and 1990 government resettled 71,000 families on 3,498,444 hectares of land. After the promulgation of the Land Acquisition Act in 1992 government resettled 4,697 families on 168,264 hectares of land between October 1998 and June 2000.[16]

Government arrested and forcibly removed any unauthorised settlers (referred to in official circles as 'squatters'), especially from these properties.

The 1990s witnessed an unprecedented demand for better farmland for arable farming and ranching. Efforts by the GoZ to redress the land imbalance received a lukewarm response or were resisted outright by landowners.

In a bid to raise sufficient resources for the Phase II Resettlement Programme government organised a donors' conference in Harare in September 1998, which was attended by 46 donor representatives, NGOs and other interested parties. The 32 donor representatives who were present pledged support for the land reform programme, but emphasised that such a programme would have to conform to certain conditions:

- It should be implemented in a transparent manner.
- It should address the issues of poverty alleviation.
- It had to be conducted within the capacity and resources available to the government.
- Its implementation and activities had to be legal and comply with the laws.
- It should be conducted with the full consultation of interested stakeholders.

The conditions encompassed the position taken by the Commercial Farmers Union (CFU) as the basis for its support of the government's land reform programme. The conference agreed that the second phase of the land reform programme was to begin with an inception phase covering 12 months and involving 118 farms[17] Government had intended to raise US1.9 billion (about $Z42 billion) to resettle 100,000 families. Of this amount 35.8% would come from government, 60.7% from donors and 3.5% from beneficiaries[18] The pledges from donors were disappointing to government, and local institutions pledged $Z7,339,000. Foreign donors pledged support in agricultural machinery, technical assistance, technical support in the form of building schools, clinics, expertise and technology transfer. There was no pledge of money from foreign donors or governments.[19]

There was to be little progress on land reform programme in the following eighteen months:

> "Until the rejection of the draft constitution in February 2000, much time and effort were spent on wrangling between government and commercial farmers on the identification of the 118 farms for acquisition under the inception phase and the modalities of doing so."[20]

In 1997 the Labour Party returned to power in Britain after winning the general election. The Labour government claimed that money would be available for resettlement, on condition that violence against white farmers was stopped. In an about-turn the British government later stated that it had no colonial obligations to fund land reform in Zimbabwe.

> "Despite the financial dilemma emanating from the donors conference and apparently frustrated, government went ahead to launch the second Phase of Land Reforms and Resettlement Programme in 1999. It was to

acquire 5 million hectares to resettle 150 000 families in five years. The programme would start with a two year inception phase in which 118 farms would be acquired."[21]

Through an amendment of the Land Acquisition Act in May 2000 and an amendment to the constitution (Zimbabwe Constitutional Amendment Bill No 16) in June 2000, the GoZ assumed power to compulsorily acquire land and to compensate only for improvements. It launched the accelerated Land Reform and Resettlement Implementation Plan, otherwise known as the Fast-Track Resettlement Programme (FTLRP), in July 2000.

The 'spontaneous' land occupations of mostly white-owned large-scale commercial farms led by war veterans of the liberation struggle added impetus to the fast-track programme, which aimed at the equitable distribution of land through decongestion of communal areas and indigenisation of the agricultural sector.

The FTLRP consists of two models. Model A1, which is intended to decongest communal areas, has two variants, the villagisation model and the self-contained one. Twenty per cent of A1 model schemes are reserved for war veterans. The land resettlement programme was also potent in straining relations between Zimbabwe and its former colonial master, Britain.

At the time of writing the MDC has apparently aligned with the West, and its policies, including that on land, have not been widely publicised locally. It has not put forward a realistic land policy that will address the concerns of the wide spectrum of people, including those who benefited and those did not benefit from the scheme. This lack of information policies reduces individual confidence. Ownership of and access to land potentially improve food security and raise family incomes. In heightened anxieties among ordinary citizens, especially since the overall productive capacity of the agricultural sector has fallen dramatically over the past four years. The long-term investment and level of personal dedication that is required in agriculture mean that it is not business as usual where the country's food security is concerned.

Unfair land distribution, the attendant lack of capacity to sustain people's livelihoods in terms of food self-sufficiency, and the challenges of implementing well-planned and comprehensive agrarian reform have reduced individual confidence and the sense of personal security for family units and communities. However, the results of agrarian reforms will only be realised in a few years' time when adequate

numbers of trained and well-resourced farmers are in full production on the farms.

LEGAL ENVIRONMENT

PUBLIC ORDER AND SECURITY ACT (POSA)

After the 11 September 2001 bombings in the US, it became apparent to most states that terrorism was a reality and that everyone was at risk and so all should be on guard. It was also the period in which Zanu PF leaders were placed under targeted sanctions by the US, Britain, and a number of EU countries. It was in that context that the government enacted the Public Order and Security Act (POSA) to "make provision for the maintenance of public order and security in Zimbabwe". Most countries have legislation that is similar in intent to POSA.

However, the opposition political parties and civic organisations have registered serious concerns with POSA. Section 24(1) requires an organiser of a public gathering to give four clear days' written notice of a gathering to the regulating authority for the area in which the gathering is to be held. Section 26 provides that if the regulating authority believes on reasonable grounds that a public gathering will occasion public disorder, the official may by notice prohibit the public gathering.

While criticisms have been raised in the context of Zimbabwe's polarised political environment it is clear that variations of the provisions contained in POSA apply in a number of countries, albeit for different reasons. Given that there is need for improvement in current legislation that includes POSA, those in political parties and public office must search for and arrive at points of common agreement in the interests of the electorate. States are increasingly regulating who, where and why their citizens associate with various individuals and organisations.

ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT (AIPPA)

Since 2000, when the GoZ implemented the Fast-Track Land Reform Programme, it has faced lot of criticism and 'demonisation' by local and external media. It enacted the Access to Information and Protection of Privacy Act (AIPPA), which, according to its preamble, seeks to:

> "… provide the public with a right of access to records and information held by public bodies; to make public bodies accountable by giving

> the public a right to request correction of misrepresented personal information; to prevent the unauthorized collection, use or disclosure of personal information by public bodies; … to establish a Media Information Commission …"[22]

The setting up of the Media Information Commission caused anxiety since it required the registration of journalists and media organisations. The intransigence of two private newspapers that refused to register resulted in their closure. Some journalists and media houses have erroneously assumed that since they do not agree with or support the provisions of AIPPA, they can operate illegally. Further complications have been caused because most privately owned publications and external media houses have tended to report negatively on most, if not all, activities of the government and ZANU PF in particular. The same is true of the state media for the MDC and its allies. This situation presents a dilemma for the electorate who try to make sense of news items and information.

It is irrefutable that communities that have access to information benefit from enhanced capacity to participate in decisions and planning for their development and are able to call for greater accountability from their leaders and representatives.

NON-GOVERNMENTAL ORGANISATIONS BILL

The GoZ introduced a Non-Governmental Organisations Bill at the end of 2004. Its import is that government will register and regulate the operations of NGOs, especially those involved in governance and human rights work in the country. The proposed legislation seeks to curtail foreign funding to these NGOs. (Similar legislation regulating the activities of NGOs exists in a number of countries in the SADC region.) The need to register and regulate NGOs arose from instances where non-registered organisations allegedly engage in political work while purporting to be providing relief and humanitarian support. After vigorous debate in parliament the NGO Bill was passed in February 2005 and at the time of writing the President had not assented to it. It has transpired that a number of local and international organisations and groups have carried out clandestine activities in the country, especially involving support to the MDC and other pressure groups. It should be noted that the requirement for organisations operating in that country to register is not peculiar to Zimbabwe and indeed many SADC states have similar legislation, although provisions differ.

NGOs in the country have had difficulty in agreeing on a code of conduct over the past two and half decades of Zimbabwe's independence. However, since the introduction of proposals to regulate NGOs there have been significant efforts to agree on minimum standards for their operations and conduct.

The level of panic and challenge experienced by a number of NGOs after the Bill was tabled created concern and uncertainty, especially among their genuine beneficiaries. There are many individuals whose livelihood and access to development and humanitarian support have been provided through contributions from a number of international benefactor donors.

WOMEN'S PARTICIPATION IN POLITICS

Karam argues that women's participation in politics is an essential part of the democratic process.[23] However, there are many socio-economic and socio-cultural obstacles to participation. The main impediments are:

- lack of political party support;
- male-oriented norms;
- male-dominated structures;
- insufficient media support;
- lack of a focused quota system;
- electoral systems that are not conducive to women's participation;
- lack of leadership orientation and training for women; and
- insufficient networking within women's organisations.

These constraints are similar in most countries, despite cultural and geopolitical differences, but they effectively reduce women's confidence and sense of security in participating in the electoral process.

Besides cultural, religious, patriarchal and socio-economic constraints, the few women who choose to enter politics face further impediments. Foster cites the following:

- limited experience of and skills in procedures of public office;
- societal prejudices against women seeking leadership positions;
- lack of capacity within political parties and other state institutions to provide a level playing field for female leadership aspirants;
- limited professional experience;
- limited educational and training opportunities for women.

- lack of resources, and transport to service constituencies; and
- limited knowledge and appreciation of issues.[24]

It can be argued that independence from colonial rule and the return to the multiparty system of elections has not meant equal participation in politics and decision-making for women in Africa. In these circumstances women's participation in politics and electoral processes should be analysed in the context of the country's political development and power dynamics. These directly influence participation by women and the extent to which they effectively interact as equal human beings in determining the future dispensation.

But, as Gnanadason warns, one of the problems in analysing women's political action is the way in which the term 'political' has usually been defined.[25] She gave the example of women's activities in community being labelled 'voluntary', 'charitable' or 'social', even though they have a political impact. Thus she concludes that women's role in politics will remain obscured until the definition of politics is broadened to include the everyday struggle to survive and to change power relations societies.

In Zimbabwe women largely initiated the food riots of the 1990s. Recent marches from Bulawayo to Harare to present a petition against the Non-Governmental Organisation Bill and urban demonstrations over the high cost of sanitary pads were women-led. Neither the media nor societal and bureaucratic patriarchies have credited women in their political quests.

It is clear that the violence and intimidation that characterised the elections in 2000 and 2002 reduced women's personal security and deterred them from participating in politics and elections. In addition, African women are socialised to shy away from violence and other anti-social behaviour.

As in many other instances all over the world, much of the violence that afflicts the personal security and individual confidence of women and men stems from the lack of equity of access and opportunity. The poverty that prevents the fulfilment of basic human needs and the injustices and inequalities that constitute gross violation of human rights are often the roots of tension and distrust, threats and conflict. These behaviours tend to destabilise family units and the communities in which families are located.

In the SADC region, Tanzania, Mauritius and South Africa (each with at least 45% of females representing constituencies) have achieved and surpassed the 30% parliamentary quota of women representation suggested by SADC member states. It is unlikely that Zimbabwe will

be able to meet the 30% target in the 2005 elections at parliamentary level. But this principle has been met within the Presidium, the country's top power echelon, with the appointment of the Hon Joyce Mujuru as vice-president.

Evidence from PAPST's CRWs indicated that current and prospective women leaders and representatives face problems of acceptance in a patriarchal society. It is especially difficult for female politicians to be accepted by traditional leaders. Prejudice against women permeates most bureaucratic and civil structures. Women politicians face the challenge of proving their capacities beyond reasonable doubt, not only once, but always.

Male chauvinists find it difficult to compete against women. In many situations women are regarded as not being ready to take up senior positions in the party. Women are often ridiculed, verbally abused and subjected to various degrees of sexual harassment, resulting in a reduction of their confidence levels. It is not uncommon to find that only the strongest survive the battle. Most abuse comes from within their party structures and often extends throughout the patriarchal organisation. In closely contested constituencies many political parties deem that their probability of success will be greater with male candidates, irrespective of merit or leadership potential demonstrated by the women.

The appointment of the Hon Joyce Mujuru as one of the two state vice-presidents on 7 December 2004 is historic in both the Zimbabwean and the African context, given the obstacles that women face to be elected on local community structures, let alone parliament.

Much more work needs to be done to bring about gender equity in the spheres of public and private representatives. However, the foundation has been laid and now the task of building on it must be tackled with determination and focus.

TRADITIONAL LEADERSHIP

Traditional leaders have been active participants in Zimbabwe's administrative, judicial and political system from pre-colonial times to the present day. Historically chiefs have had to toe the line of the government of the day since their tenure of office is often at the pleasure of those wielding state authority. In 1980 "the chieftainship was retained as symbols of traditional values, but the chiefs themselves were stripped of all their administrative and judicial functions, while retaining their salaries".[26]

The fortunes of traditional leaders were reversed with the enactment of a new law, the Traditional Leaders Act, in 1998.

The powers of chiefs were extended to include administrative, judiciary, planning and development coordination, traditional, cultural and policing powers. Systematically the chiefs have been elevated to near-absolute authorities in areas under their jurisdiction. After the 1998 Traditional Leaders Act and its implementation from 2000, the traditional leaders have increasingly been co-opted into modern partisan politics and often expected to display allegiance to the government and the ruling party. Their status has been significantly enhanced and their perquisites increased considerably.

Legally, traditional leaders are not supposed to be actively involved in politics, but their open support of the ruling ZANU PF has caused some anxiety within opposition political parties and civic groups. The MDC claims that ZANU PF is buying off chiefs by providing them with new vehicles at highly subsidised prices. The MDC has not raised the same argument for parliamentarians of both parties who have a duty-free vehicle purchase facility when they assume office. Chiefs by dint of being public office bearers for life obviously require some level of state support. The issue of the nature or quantum of support and its conditionalities is probably something that should be negotiated by a competent parliamentary committee rather than in a general newspaper article or by speculation.

THE ROLE OF THE WAR VETERANS IN THE ELECTION PROCESS

The War Veterans Association of Zimbabwe has been one of the civil society organisations (CSOs) that have played a significant role in post-independence electoral processes. The general perception from deliberations during the PAPST CRWs is that the association is part of or an extension of the ruling ZANU PF and government. The war veterans actively support the ruling party's position and are often at the forefront of political campaign activities.

The consensus among the ZANU PF leadership is that war veterans should mobilise people to vote for the party and also ensure that they follow and support the party's position.[27]

> "We have been campaigning for our party and its part of our role as revolutionaries to coerce people *(kutinha vanhu)* to attend ZANU PF meetings and also guard against the enemies of our country."[28]

The activities of the local members of the Zimbabwe Liberation War Veterans Association (ZLWVA) have reduced the security and confidence of individuals in communities, including members of the opposition.

It is evident that in many instances the role of the war veterans has not been clearly defined or, for that matter, discussed and agreed to with the general electorate or the political leaders. This has resulted in a mix-up of roles and responsibilities with the attendant confusion that often arises and causes conflicts.

ACCESS TO FOOD AND INDIVIDUAL SECURITY

There are differing estimates of the maize (staple food) harvest with the GoZ insisting that Zimbabwe produced 2.4 million tonnes of maize in the 2003/04 farming season, whereas other estimates put the figure much lower, to between 900 and 1,200 tonnes. What is beyond dispute is that some areas, especially those in the low rainfall regions, require food aid. When government projected an adequate local supply of grain, they formally advised the UN Agencies and INGOs that they were no longer required to provide wide-scale food distribution. INGOs, bilateral agencies and multilaterals were requested to concentrate on supporting the vulnerable, especially the AIDS orphans, the aged and the destitute in the country.

The GoZ has stated that its main challenge is a logistical one, that is, to move grain and other food from storage and production surplus areas to those in need. The MDC alleges that the interlinked roles and identity of ZANU PF and those of government can deliberately confuse people, to the benefit of the ruling party. The opposition alleges that the ruling party distributed food through the government in exchange for votes. The implication is that if any party presents food in exchange for votes, the effect is to reduce individual security and confidence in the electoral process. An individual without sufficient food is vulnerable, insecure, and ready to be directed in most processes, including the electoral process, as long as his or her actions improve food security. However, temporary or long-term relief gained through people sacrificing their rights and choices will further erode individual confidence and security.

Most political campaigns link political support to some material benefit and regrettably this has been seen in many instances in Zimbabwe and on the African continent. There is often a lower sense of urgency of response from leaders for requests and calls for help that originate from areas identified as politically hostile or marginally supportive. Here

again it is more productive to seek engagement and dialogue rather than confrontation and condemnation, since this only widens the chasm that people have to bridge to solve the crisis and challenges at hand.

THE ROLES OF CIVIL SOCIETY AND NGOS IN ZIMBABWE

The term 'civil society' is a fairly recent one, having gained currency in the 1980s. Civil society can be regarded as a 'third sector', distinct from government and private enterprise. According to this view, civil society refers essentially to the so-called intermediary institutions such as professional associations, religious groups, labour unions, and citizen advocacy organisations that give voice to various sections of society and enrich public participation in matters of governance and representation. CSOs often represent diverse and sometimes contradictory and conflicting interests that originate from different platforms, constituencies and thematic orientations. The cluster of CSOs has tended to embrace NGOs, which in many countries are apt to be closely associated with competing state initiatives in a variety of activities.

- Government, being the 'first sector', has the primary responsibility of providing public goods and services that by their very nature would not normally be provided by private business. These include national/state security, education, health and a clean environment. Government's realm of operation is prescribed in the national constitution and the obligations are normally captured in the Bill of Rights. Resources are mobilised from taxation and other forms of tariff collection.

- The 'second sector', business or private enterprise, produces goods for private consumption. The main motive is profit. There are many goods, such as vehicles and textiles, that can best be produced by the private sector for profit. Various statutes and regulations prescribe what and how it should fulfil its mandate to govern this sector. Private individuals provide expertise and other resources in the form of equity and working capital for this sector.

- The 'third sector', non-governmental/voluntary, provides the services that the first two sectors usually do not or are unable to. Such services include capacity building, relief work and the setting up of coalitions and networks that specialise and focus on specific themes and projects. The 'third sector' is a very big sector encompassing all who are not in

the 'first' and 'second sector'. Even prominent members of the 'first' and 'second sectors' participate in civil society when not undertaking first sector and second sector roles. Resources are secured mainly from donations and concessionary grants.

Since 1980 NGOs in Zimbabwe have worked in a number of sectors to promote improved standards of living for the general population, especially in rural areas. These organisations worked with state agencies to raise awareness among communities of the merits of being active and self-reliant in providing for the needs of their families. It was only in the post-ESAP launch phase that there was a proliferation of human rights-focused NGOs, mainly externally funded and in many instances with foreign headship.

The role of these rights-based NGOs has tended to be associated with general and targeted activism, rights-based programmes and unofficial scrutiny of state machinery and incumbent public office bearers. Often their approach and strategy is confrontational and adversarial, such that those officials whose attention is being attracted perceive only confrontation and arrogance. This is the characterisation that has prevailed in the minds of political leaders and state officials of how relations have developed between them and NGOs. It therefore has been a major challenge for NGOs, and indeed some of their activist leadership, to revise their strategies and engage with political leaders in a win-win contest where all stakeholders find fulfilment in the outcome.

The win-win approach has guided PAPST in its activities. This has facilitated dialogue among individuals holding different political affiliations and permitted them to understand and embrace the strength found in diverse views.

It is becoming increasingly clear that more platforms need to be created by various organisations to enable individuals to openly express themselves without fear or insecurity.

PAPST Constituency Development Programme

PAPST is a private voluntary organisation (PVO), registered in 2000 with the main purpose of empowering elected representatives in Zimbabwe, the SADC and the entire African continent. A number of stakeholder review workshops have been held, bringing together MPs and other leaders whose constituencies had benefited from PAPST programmes. The objectives of these workshops were for the trust and beneficiaries to jointly review the successes and challenges of the programmes implemented and map the way forward.

The overall findings from the testimonies of MPs and community representatives indicated that the services provided to constituencies by PAPST have been successful and beneficial to MPs, local leaders, communities and individual constituents. The CRWs to a very large extent raised the level of trust, removed suspicion and improved cooperation among local leadership. Further testimony was provided by the external evaluation and reviews conducted separately by consultants Mr H Sibanda and Ms D Nupen.

In designing and rolling out its menu of themes and topics for discussion and sharing with constituency stakeholders, PAPST was under no illusion that the exercise would bear fruits with time and that there needed to be flexibility and ongoing adjustments during implementation.

CDP impact on building individual security and confidence among leaders and their communities

One outcome for which PAPST can claim direct credit is the significant reduction in violence during the current parliamentary election campaign, exemplified by increased tolerance levels and acceptance of differing views and opinions in many constituencies that were labelled no-go areas for any opposition party members in the 2000 and the 2002 elections. A significant number of these were targeted for attention and servicing by the trust. The trust negotiated with representatives from both ZANU PF and the MDC and provided a common platform where members were able to exchange views and begin to break down the attitudinal prejudices separating them.

It was evident that issues of personal security and individual confidence improved as participants and members of the communities realised that it was not necessary to be violent to those who hold different political opinions. Participants to the PAPST workshop found the CRWs were beneficial in facilitating dialogue and debate between the main rival parties of the MDC and ZANU PF. Improved communication between these parties reduced conflict and improved tolerance among members.

There is clear empirical evidence in the form of audio/visual recordings showing community leaders and individuals debating and condemning violence as unnecessary and retrogressive over the past 48 months.

The footage was shared with other stakeholders in different areas, such that the trust believes there has been a multiplier effect.

PAPST's CDP initiative must be classified as work-in-progress and it is clear that very few of the leaders in the more than 50 constituencies that

were serviced by the trust in the past four years will revert to intolerant behaviour and violent conduct, especially if further support and ongoing service are offered.

Economic developments

The immediate post-1980 years saw significant investment in the social sectors of education and health. There were more pupils to be educated as primary education was made free and compulsory, while in health the poor and indigent received free medical treatment. With guaranteed access to these essential social services individual confidence and personal security grew significantly. In the first two years of independence the national economic growth rates surged, reaching 10.7% in 1980 and 9.7% in 1981. However, these impressive national economic growth rates fell in 1982–1984 because of drought and the challenge brought by the internal strife caused by the dissident element in the southern half of the country, as well the volatility of the international economy, which was experiencing a recession. Economic growth suffered further decline as tourism dropped to a trickle, especially after the 1985 abduction of a group of tourists who were en route to Victoria Falls.

After the conflict in Matebeleland was resolved in December 1987, the GoZ began to negotiate with the Bretton Woods institutions and in early 1990 the government agreed to adopt the World Bank/International Monetary Fund-designed and supervised Economic Structural Adjustment Programme (ESAP). This quick-fix five-year remedy was intended to reverse economic decline, bring about growth through domestic and external investment, and generate high export inflows from industry through value addition. Other components of the reform programme included budget deficit reduction through reforming and reducing expenditure on items causing the deficit, price and wage decontrol; cost recovery; trade liberalisation; parastatal reforms and the particularly unpopular civil service rationalisation/reduction. ESAP turned out to be an economic placebo, as most targets were not met. Many reasons have been proffered for ESAP's failure and, with hindsight, the country need not have followed the ESAP route had the economy been managed differently. In fact, many developing countries that were compelled to follow the ESAP route all failed to meet the theoretical targets set by the Bretton Woods experts.

After the failure of the Structural Adjustment Programme by 1995, the GoZ attempted to revive the economy using a different strategy and approach. Most Zimbabweans became very insecure financially as they

failed to meet basic needs such as shelter, food, clothing, health and education costs.

It is clear that in the short term it was not possible to come up with another quick-fix option, especially after the failure of ESAP. After a series of concerted demands for redress for the plight of the war veterans over a long period of time, in November 1997 the GoZ yielded and conceded to paying out amounts of Z$500,000 (as a once-off settlement) and subsequent monthly payments for life of Z$50,000 to more than 20,000 former freedom fighters. These concessionary settlements, though justified, had not been factored into the 1997/98 budget but had to be met from domestic sources before Christmas 1997.

The net effect was that the Zimbabwean dollar crashed against international currencies from Z$8.00 to US$1.00 to a rate of Z$45.00, then Z$18.00 to US$1.00 by year-end. The initial crash occurred on 14 November 1997 (a day now referred to as Black Friday*)*.

Zimbabwe's positive response to a request for military support from SADC states to ward off a major rebel attack by the late president of the Democratic Republic of the Congo (DRC), Laurent Kabila, in 1998 meant that a significant quantity of resources were committed to that effort. At the peak of Zimbabwe's involvement in the DRC conflict more than 10,000 troops were deployed in that country and the bulk of the costs was borne by Zimbabwe's taxpayers. There were anticipated returns in terms of concessions for timber, diamond, gold and copper mining and general commerce. Regrettably these developments remain on paper in the form of joint cooperation agreements, but tangible benefits have yet to be realised. The DRC war had the additional effect of straining an economy that was already under stress, resulting in further devaluation and budget deficits.

This trend and mode of devaluation has continued and despite a number of interim corrective measures, from around October 2003 to October of 2004 the exchange rate has been pegged at ±Z$6,000 to US$1.00. In practical terms (at a personal level) this means that with the continued decline of the local currency's value, especially over the past five to seven years, most citizens do not have life savings or any emergency reserves, should a crisis develop. Any extra income is immediately converted to tangible goods or consumed, since its purchasing power is volatile and subject to the vagaries of a highly inflationary environment. The rate of inflation shot up from just over 20% in 1999 to peak at over 600% in December 2003 and is now said to be declining

The deterioration and apparent stagnation of the Zimbabwean economy has had the effect of creating an extremely challenging living

environment for the average citizen. Individual confidence, self-esteem and personal security are therefore challenged for most individuals, and this has resulted in waves of migration.

Analysts and political activists tend to concentrate on Zimbabwe's electoral issues from 2000 onwards, yet fundamental issues lie in the history and relationships among various stakeholders since 1980 and before the date of independence. Any person or institution who wishes to appreciate the why, how and what of Zimbabwean politics needs to appreciate the historical, political and socio-economic context of the country before making rushed assessments and conclusions.

Civil society organisations and NGOs must deliberately engage political leaders and bureaucrats to initiate dialogue and exchange views on issues of mutual concern.

Contact should not take place only when a petition is being presented or when protests are being organised. There should be a culture and strategies that nurture confidence and enhance appreciation of any diverse opinions held by individuals and policies pursued by organisations. There should also be acknowledgement and commendation when progressive policies and actions are pursued. Similarly, there should be constructive criticism of any actions that are retrogressive or harmful to communities and individuals. CSOs and NGOs must also take time to appreciate that politics is not about setting up and operating social gatherings and neighbourhood talk-shops. On the contrary, it is about the pursuit and competition for political power, control and influence. This is absolutely critical if conflicts of interests are to be avoided and minimised.

CONCLUSION

PAPST is able make the following preliminary observations about Zimbabwe's 2005 parliamentary elections:

- The campaigns have to a large extent been peaceful and the overall environment conducive to enhanced individual confidence and personal security as exemplified by the wearing of party apparel and the holding of open meetings without interference or threat.

- The playing field has to a significant extent been levelled through the adoption of the SADC election principles and guidelines, which were used in enactment of revised electoral legislation and regulations.

- Nearly equal amounts of campaign funds for ZANU PF and the MDC have been provided under the Political Parties Finance Act.

- The GoZ has not been ambiguous about who would be allowed to observe the elections. Local representatives and a significant number of regional and international observers and media representatives observed the process.

- It is important to appreciate that the country has been targeted for negative media coverage and classified in the same mould as many failed states when the issues can and should be resolved through dialogue and bridge building, not doubt and scepticism.

- The principal lesson for some of the 'half-baked' political novices masquerading as human rights activists and governance specialists is to allow the Zimbabwean electorate to find free expression in the vote on 31 March and respect the outcome.

Section 2: Election Observation Report of the Public Affairs and Parliamentary Support Trust (PAPST)

INTRODUCTION

The Public Affairs and Parliamentary Support Trust (PAPST) dispatched three teams to observe the pre-election and polling periods in the 2005 parliamentary election held on 31 March 2005. The group of 14 observers were deployed to eight provinces, namely Harare, Mashonaland East, Masvingo, Manicaland, Midlands, Bulawayo, and the two Matebeleland provinces.

In preparation for the observation exercise PAPST commissioned desk research, perusal of documents, newspapers and tracking of media reports. The findings recorded in the period from January to March 2005 constitute an important component of the process. PAPST observer teams detailed the pre-poll observation that they noted since January 2005. The teams would also base their reports on each team's observations made at their constituency visits on the eve of the election and afterwards.

PAPST made the following findings with respect to the election, despite certain logistical and procedural challenges that were observed and recorded:

• The enactment of legislation and implementation of procedures based on the SADC principles and guidelines provided the framework for an electoral process that was significantly improved compared to the 2000 and 2002 polls.

• The peaceful environment, tolerant behaviour and overall media coverage of candidates and their parties provided Zimbabwe's electorate with the opportunity to cast their votes without threat or hindrance.

• The increased number of polling stations, coupled with efficient voter processing by election officials, significantly enabled many voters to cast their ballots within reasonable time and distance of their homes.

• The single-day balloting, use of translucent boxes and counting

immediately after the close of the poll greatly contributed to the voters' confidence in the process.

- The presence of a significant number of international and local observer groups and media personnel provided an independent overview of the election.

RATIONALE FOR OBSERVING THE 2005 PARLIAMENTARY ELECTION

PAPST sought to gain a better understanding of the processes involved in the election of parliamentarians by participating in the 25th anniversary election.

The trust was keen to appreciate the background and prevailing environment leading up to the 2005 poll in the light the adoption of many of the SADC principles and guidelines by the GoZ in January 2005.

PAPST pre-poll observation began in January 2005 and examined election-related issues concerning electoral reforms and legislation and the adoption of the SADC principles and guidelines on democratic elections by the GoZ. The trust also observed primary elections by some political parties, the delimitation of constituency boundaries, voter registration, inspection of the voters' roll and the prevailing political environment.

Realising the importance of this election, PAPST hired reputable consultants to conduct a refresher-training workshop at the beginning of March 2005 to equip prospective observers with the necessary knowledge, information and skills in the conduct and observation of a national election.

LEGAL FRAMEWORK AND ADMINISTRATION

LEGAL FRAMEWORK

Since independence in 1980, the GoZ has held parliamentary elections every five years and presidential elections every six years. Elections help to restore the values of legitimacy and orderly transformation. Democratic elections ensure the creation of governments that are sensitive to the needs of people.

CONDUCT OF ELECTIONS

In the past, the Election Directorate was responsible for logistics, while the Registrar General's Office was responsible for voter registration.

The institutions that are currently mandated to run elections in Zimbabwe are the Zimbabwe Electoral Commission (ZEC) and the Electoral Supervisory Commission (ESC). The ESC engages people who monitor the election, while ZEC conducts voter education and registration (by giving instructions to the Registrar General's Office). The Delimitation Commission sets out constituency boundaries ahead of the parliamentary elections.

The following statutes are used to run elections in Zimbabwe:

1 Constitution of Zimbabwe
2 Electoral Act
3 Zimbabwe Electoral Commission Act
4 Electoral Supervisory Commission Act
5 Political Parties Finance Act
6 Other statutory instruments, for example the Broadcasting Services Regulations 2005 and the Electoral Regulations, also gazetted in 2005.

THE CONSTITUTION OF ZIMBABWE

The constitution of Zimbabwe provides for the holding of elections within a period not exceeding four months after the issuing of a proclamation, dissolving parliament. Of the 150 parliamentary seats in Zimbabwe, political parties contest 120, while the other 30 are reserved for the Head of State to appoint MPs. Ten people are appointed as provincial governors, another 10 as non-constituency MPs, and the remaining 10 are traditional chiefs. The National Chiefs Council sitting as an electoral college elects two chiefs while the remaining eight chiefs are elected by provincial electoral colleges.

(Constitutionally, Parliament should constitute 150 + 1 members. Originally, Zimbabwe had eight provinces, but two metropolitan provinces were created (Harare and Bulawayo), which necessitated the addition of two more governors to bring that number to ten. The constitution is yet to be amended to address that issue.)

ELECTORAL REFORMS AND REGULATIONS

Zimbabwe is the first SADC country that adopted and implemented the SADC principles and guidelines acceded to in Mauritius in August 2004. These included:

- the establishment of impartial, all-inclusive, competent and accountable national electoral bodies;
- an environment conducive to free, fair and peaceful elections;
- equal opportunity for all political parties to access state media; and
- political tolerance.

Zimbabwe implemented the SADC principles and guidelines by amending its Electoral Act and established the Zimbabwe Electoral Commission to administer the election as an independent board. The improvements are:

- the use of translucent ballot boxes;
- voting in one day;
- counting of the ballot at the polling stations soon after closure;
- opening of the airwaves to contesting political parties to sell their manifestos and participate in discussion programmes on radio and television;
- enhanced political tolerance;
- use of visible indelible ink; and
- setting up an electoral court to deal with electoral disputes.

Electoral management and administration

The outgoing parliament worked tirelessly and enacted the Zimbabwe Electoral Commission Act and the Electoral Act, which were used to administer the 2005 parliamentary election. It succeeded in producing the new laws despite the following challenges.

Challenges of administering the poll

- The Act establishing the ZEC was passed by Parliament in December and brought into effect on 1 February 2005.
- The ZEC came into being when the electoral process had already started.
- The ZEC had 60 days to prepare for and hold the poll.
- Inspection of the voters' roll had already begun and the ZEC had to request an extension of one week.
- ZEC commissioners were appointed when parts of the process had been completed. These included delimitation of constituency boundaries, mobile voter registration units, inspection of the voters' roll and voter education.

Table 3 Polling stations for 2005 parliamentary election

Province	Number of constituencies	Number of polling stations	Registered voters	Total vote cast
Bulawayo	7	210	339,990	109,687
Matebeleland North	7	630	342,732	158,652
Matebeleland South	7	594	341,258	145,907
Midlands	16	1,177	745,822	367,111
Masvingo	14	1,020	675,234	321,963
Harare	18	530	832,571	352,415
Mashonaland West	13	983	593,354	286,244
Mashonaland East	13	1,157	610,715	326,690
Mashonaland Central	10	822	490,181	279,353
Manicaland	15	1,112	686,767	348,648
TOTAL	120	8,235	5,658,624	2,696,670

- The ZEC convened the Nomination Court only on 14 February 2005.
- The President promulgated boundaries when there was inadequate opportunity for voters to check the roll and verify their constituencies.
- The list of polling stations was published one day late (18 March 2005). It generated confusion among the electorate, especially those outside towns and cities. Section 51 of the Electoral Act (Chapter 2:13) requires information regarding polling stations to be provided at least 14 days before the polling date.

State of preparedness

Election officers (constituency election officers, presiding officers, polling officers) were trained and deployed between 5 and 28 March 2005. Election officers and monitors were drawn from the Public Service.

Zimbabwe Republic Police (ZRP) officers were deployed at all polling stations. Before the poll, ZRP set up a committee chaired by Assistant Commissioner Mary Masango, whose sole job was to make sure there was peace and tranquillity. They educated their officers on the laws governing elections to ensure lawful conduct of their duties. They also launched an extensive mass media campaign encouraging people and political parties to desist from violence.

The number of polling stations was increased to accommodate all eligible voters. Fifty thousand translucent ballot boxes were procured and distributed to the constituencies on time. According to the chairperson of ZEC, 5,789,912 voters were registered for the election. Members of the public were able to buy copies of the roll if they so wished.

Adequacy of polling stations

When the national distribution of polling stations was announced, there was an outcry from some people who thought urban areas were given fewer stations than rural areas. ZEC was vindicated after the poll, as the polling stations proved more than adequate for every constituency. When PAPST observed the election, it found that most people were able to vote and in most instances stations were not busy, so that polling officers were waiting for voters to arrive. The distribution of polling stations per province appears in Table 3.

ACCREDITATION OF ELECTION OBSERVERS

Accreditation ran from 7 to 29 March 2005. Prospective local observers were invited by the Ministry of Justice Legal and Parliamentary Affairs to apply for accreditation as observers. The Ministry of Foreign Affairs invited specific international observers and journalists. These included SADC, AU, Malawi, Libya and South Africa. Notable absentees were Britain, the US, the EU and SADC PF, who were not invited. However, all diplomatic missions resident in Zimbabwe and those that were not resident but were servicing Zimbabwe had up to ten staff members accredited.

CODE OF CONDUCT

After registration, observers were invited for briefing to a joint meeting organised by the two commissions (ZEC and ESC), where they issued a code of conduct for the accredited observers.

PRE-ELECTION PERIOD

In the run-up to this election, the governing ZANU PF party and the main opposition party, the MDC, each made internal preparations for the elections with the ruling party conducting primary elections, while the opposition carried out their own confirmation/primary elections.

The methods used to choose candidates that were adopted by both parties caused some intra-party disgruntlement. However, these methods did not have much bearing, as the outcome seems to suggest that voters went for the party and not individual candidates.

However, in August 2004 the MDC had announced that they would not participate in any elections until the GoZ rectified or made changes to the electoral laws to level the playing field and make the environment conducive to a democratic election. Although this was the party's public stance, indications were that the MDC were campaigning quietly. It came as no surprise, therefore, when the party stated that they would participate under protest, citing pressure from their own political structures and supporters.

ZANU PF INTRA-PARTY ELECTIONS

PAPST reviewed the practices followed in the selection of candidates by the governing party. The ZANU PF primary elections were noteworthy. For the first time, the ruling party adopted the 1997 SADC Declaration on Gender and Development, which stipulates that there must be at least 30% of women in political decision-making structures by the end of 2005 (quota system).

ZANU PF set criteria that allowed only members of the provincial executives, National Consultative Assembly and Central Committee to participate in the primary elections that were held on 15 January 2005. One also had to be a card-carrying member who was known as a fervent, consistent and active supporter of the party and party's aims and objectives and was prevented from holding a position in any of the structures of the party by virtue of his or her employment in the service of the state.

It has been observed that the methods of candidate selection and campaigning tactics have a bearing on the outcome of elections. The choice of a representative can affect the interests of voters in any election. The electorate may either boycott or cast a protest vote if they dislike the candidate or arrive in large numbers when they like the candidate.

However, the quota system did not please aspiring candidates who found themselves out of the race after the constituencies they eyed were reserved for female candidates. Others chose to defy the party and stood as independent candidates against party policy. Those who defied were expelled. But an interesting scenario evolved in Tsholotsho Constituency, Matebeleland North, which Professor Jonathan Moyo contested and won

against Musa Ncube after ZANU PF denied him the right to represent them and fielded Ncube on the basis of the quota system.

Another method of candidate selection that was used by the ruling party was consensus, where some candidates were selected unopposed. However, the Presidium and Election Directorate often intervened where there was disagreement to reverse earlier decisions or ask for re-runs. For instance, some aspiring candidates who were initially elected unopposed were later contested. Others who won could find themselves in a re-run and lose out in the second primary.

MDC INTRA-PARTY SELECTION METHODS

The opposition used what they termed 'confirmation' for the sitting candidates. Those who failed to garner two thirds of the vote were asked to contest in primary elections with other aspiring candidates. Some of the sitting MPs who lost the primaries went on to contest as independent candidates.

THE QUOTA SYSTEM

ZANU PF fell short of implementing the 1997 SADC Declaration on Gender and Development after they had to reverse in four constituencies an earlier decision to reserve them for female candidates. In those constituencies the aspiring women candidates competed with men and lost. As a result, of a possible 40 women 36 were fielded. Of those fielded in the parliamentary election, 14 were elected as members of parliament.

Although the opposition MDC did not apply the quota system, they fielded 16 female candidates and only five succeeded in the 31 March poll. Zanu Ndonga had five female candidates, who all lost. The other two independent female candidates did not make it either.

COUNTDOWN TO THE ELECTION

PAPST is concerned that the Delimitation Commission Report was not made public on time for constituents to determine where they were placed. President Robert Mugabe only promulgated boundaries when there was inadequate opportunity for voters to check the roll and verify their constituencies. Section 51 of the Electoral Act (Chapter 2:13) requires information about polling stations to be provided at least 14

days before the polling date. Late publication of the list of polling stations (18 March 2005) by one day generated confusion among the electorate, especially those outside town and cities.

The Delimitation Commission was appointed on 14 September 2004 and completed its work in December of the same year. By this time voter registration and inspection of the voters roll were closed. This might be one of the reasons for the high number of people who were turned away for trying to vote in the wrong constituency.

The President announced the date for the election only when he returned from his annual leave in February 2005. The indecision of the MDC may also have affected the turnout at the voters' roll inspection centres countrywide. Some people may have elected not to inspect since they assumed that the main opposition party would not contest.

PAPST believe that more time was needed to educate potential voters on the new voting requirements such as the use of translucent ballot boxes, voting in a single day and the use of three different voters' rolls and ballot boxes.

Nomination fee

The nomination fee that was required for parliamentary candidates to be considered for contest disadvantaged smaller opposition political parties. The opposition political parties argued that initially they were advised that it would cost Z$100,000 per candidate. Instead, each candidate was asked to pay Z$2 million, resulting in parties such as Zimbabwe Youth

Table 4 Candidates

Political party	Number of candidates	Gender	Comments
ZIYA	2	Male	
ZPDP	1	Male	
ZANU PF	120	Male 84: Female 36	
MDC	120	Male 104; Female 16	
ZANU	15	Male 10; Female 5	
Independents	17	Three candidates withdrew before the election began. One was persuaded to step down	

Alliance (ZIYA) fielding two and Zimbabwe Peoples Democratic Party (ZPDP) fielding only one candidate. Zanu Ndonga, which was reported in local media to be willing to field in every constituency, ended up fielding only 15 candidates, citing high nomination fees as the reason.

ZANU PF and the MDC were not affected because they benefited from the Political Parties Finance Act, which stipulates that all parties with more than 15 representatives in parliament are entitled to funding from government. Both parties have benefited since 2002.

Access to the electronic media

Local radio and television continued to cover the campaigns and party activities of the governing party. Although the statutory instrument allowing all political parties time on radio and television had been gazetted earlier, the Act stipulates that the broadcasting authority may start coverage only two weeks before the election. In spite of this arrangement, the opposition parties complained of unfair coverage. On the other hand, the broadcasting authority argued that the opposition parties were not forthcoming in taking up slots allocated to them.

Some of the panellists who presided over discussion programmes were accused in some quarters of aligning themselves with policies of certain political parties. The general sentiments were that the moderators were more critical of the policies of opposition parties than discussants from the governing party. This resulted in an outcry from listeners, who wrote to local newspapers to express their displeasure over the conduct of some the moderators.

Campaign methods

Political parties, individual candidates and electoral authorities held separate campaigns in preparation for the parliamentary election. Campaign methods used during the run-up to the election varied from rallies to text messages, media adverts, posters, party regalia, door to door canvassing, moving car canvassing, meet-your-candidate meetings, inter-party public meetings, imaginative use of language, panel interviews and donations.

PAPST observed that when the MDC failed to obtain clearance from the police to hold rallies as required under the Public Order and Security Act (POSA), the opposition party used a moving car to address its officials. The officials would be bussed and addressed while the vehicle was moving slowly around the chosen venue. Aspiring candidates used local languages to address the audience at rallies. The languages that were used most were Shona, Ndebele and English.

The words used at rallies and some jingles on ZTV and radio were mild and less offensive than at the 2002 election campaigns. The statement by President Mugabe denouncing political violence made a huge difference, as there was evident tolerance from contesting parties, and candidates who complied took heed of his call for peaceful campaigns. The police provided security without regard to politics. Those who tried to disrupt peace and order were arrested and fined. This greatly helped improve political tolerance.

PRE-POLL OBSERVATIONS, 28–30 MARCH 2005

This section discusses observations by the three PAPST team member who travelled across the country days before polling day. The reports are based on the observations of these teams.

Table 5 Provinces and constituencies visited

Province	Constituency
Mashonaland East	Chikomba
Masvingo	Bikita East, Bikita West, Chivi North, Masvingo North, Masvingo Central, Zaka East, Zaka West
Manicaland	Buhera, Chimanimani, Mutare Central, Mutare North, Mutare South, Mutasa South

Those who attended the rallies were jovial. There was a lot of tolerance among the different party supporters throughout the rallies. Speakers used moderate language. The rallies that were observed are tabulated below.

MASVINGO PROVINCE
Masvingo Central

The team observed that the environment was conducive to campaigning without disturbances. Campaign materials of the main parties were displayed, ranging from clothing to flyers and posters.

The ZRP should be commended for a job well done since they were at most polling stations by 28 March 2005. The security personnel showed zeal in executing their duties.

Table 6 Rallies observed

Venue/ date/ constituency	Speakers	Main messages	Observations	Campaign materials
Chivhu 28/03/2005 Chikomba ZANU PF	Pres R G Mugabe Hon Elliot Manyika Hon Ray Kaukonde Governor David Karimanzira	• Those who attended were urged to vote for ruling party candidates • The history of the party was narrated • People were urged to go and vote in large numbers and to vote in peace	• The team was not prevented from attending the rally • Security agents were supportive and cooperative	Posters, T-shirts, wrappers, bandanas
Masvingo 29/03/2005 Masvingo Central MDC	Tongai Matutu	• Urged the audience to vote for the MDC in order to realise development in Masvingo • Explained the manifesto of the party especially their RESTART, which he said would turn around the economy	• The observer team was well received by the people manning the rally • There was order at the rally	T-shirts, posters, banners, loudspeakers
Manicaland 30/03/2005 Sakubva Stadium Mutare Central	VP Joyce Mujuru	• Introducing aspiring candidates • Voters urged to rally and vote for ruling party candidates • The history of the liberation struggle and the role played by people of Manicaland were narrated	• The team visited Sakubva Stadium • The rally was characterised by entertainment activities • Security was adequate	T-shirts, posters, banners, entertainment groups

Masvingo North

Observations in this constituency included a hive of activity such as the dispatch of polling stationery and the deployment of polling officers. The team had access to the polling stations, where the police officers were cooperative. Posters and other ZANU PF and MDC campaign materials were displayed and a high degree of political tolerance was exhibited in the area.

Police officers had been deployed well in advance and there was order and peace in and around the polling stations in this constituency. Police officers whom the team spoke to indicated that very few incidents of politically motivated violence were reported in the area.

Zaka West

Zaka District Office was a hive of activity since it was a command centre and a polling station. Police details and polling officers provided the team with the information they required. There was order and only isolated incidents of violence were reported.

MANICALAND PROVINCE

Mutasa North and Mutare North

Manicaland was no exception when it came to maintaining order and planning for the forthcoming election. Campaign materials for the MDC and ZANU PF were visible throughout the constituencies. One non-governmental organisation, the Zimbabwe Election Support Network (ZESN), distributed flyers on voter education in both constituencies.

ZRP officers who were deployed in the area provided security. On the eve of the election the officers manning the polling stations had arrived, but the election material still had to be delivered.

MIDLANDS / MATEBELELAND SOUTH / MATEBELELAND NORTH / BULAWAYO TEAM

Table 7 Provinces and constituencies visited

Province	Constituency
Midlands	Gweru Rural, Gweru Urban, Kwekwe, Mkoba, Silobela
Matebeleland South	Insiza
Matebeleland North	Bubi-Umguza, Tsholotsho
Bulawayo	Bulawayo East, Makokoba, Pumula-Luveve

Midlands

Kwekwe

The team observed in Amaveni and Mbizo suburbs as well as in the city centre of Kwekwe. It then moved on to Silobela, where it visited Torwood Suburb. The team observed that the constituencies were calm and peaceful. Supporters wearing different party regalia mingled freely on the streets and at shopping centres. Campaign posters were visible, though some had been torn/vandalised. In Torwood, ZANU PF youths rode bicycles, inviting people to a meeting, but no one felt intimidated or compelled to attend.

The officers with whom PAPST observers interacted were cooperative and showed a high sense of duty. The team were allowed to take details of the scheduled rallies for the coming days for the different political parties. No reports of violence had been recorded. The police reported that peace had prevailed since campaigns were officially launched.

Gweru Rural

Gweru Rural did not provide a different scenario and Gambiza Business Centre in Chiundura area was as peaceful as Gweru Urban and Mkoba. Police details had been deployed at Gambiza Preschool. No reports of violence were recorded in Chiundura.

People went about their normal business in Mkoba and Gweru Urban. Campaign posters were visible in these constituencies. This was in contrast to Gweru Rural, where isolated posters were noticeable.

Matebeleland South

Insiza

It was raining heavily when the observer team reached this constituency. At Pangani School polling station, monitors, polling officers and the police were already deployed.

Matebeleland North

Bubi-Umguza

Outgoing members of the Fifth Parliament of Zimbabwe and representing the MDC in Matebeleland constituencies, Gibson Sibanda (Nkulumane), Welshman Ncube (Bulawayo North East), Jacob Thabani (Bubi-Umguza), and Paul Themba Nyathi (Gwanda South) had addressed a rally in

Thabazinduna at the Council Hall. The observer team arrived as this was dispersing. The team visited Nyamandhlovu polling station where a peaceful environment was reported.

Tsholotsho

Mvundhlana Primary School, Thabisa Preschool polling stations and the command centre were visited at which election officers had been deployed. The team had an opportunity to meet foreign observers of the SADC Mission who had also visited the command centre. Agents of Professor Jonathan Moyo, an Independent candidate, held a peaceful voter education session at an open space near Mvundhlana School. No incidents of violence had been recorded and various party supporters were mixing and socialising.

Bulawayo

Bulawayo Metropolitan

The team attended a discussion forum organised by Bulawayo Agenda at Royal Hotel where some contesting party candidates were represented. Peter Nyoni (ZANU PF), Felix Mafa (MDC), Joshua Mhambi (on behalf of Professor Moyo) and Themba Dhlodhlo, a political commentator spoke at the forum, which was moderated by Mr D Matshazi.

   Messages from the discussion forum were persuasive and the speakers pleaded with the audience to vote for their parties or candidates. The audience were also given an opportunity to ask questions of the speakers.

MASHONALAND EAST AND HARARE TEAM

Table 8 Provinces and constituencies visited

Province	Constituency
Harare	Harare East, Hatfield, Glen Norah, St Mary's, Zengeza, Chitungwiza
Mashonaland East	Goromonzi, Hwedza, Marondera East, Marondera West, Murehwa North, Murehwa South, Mutoko North, Mutoko South

Observations

There was peace and tranquillity in all these constituencies. Ruwa Rehabilitation Centre was one of the deployment centres for polling

officers in Harare Province. Deployment of election officials was in full swing a day before the election in Mashonaland East Province.

A polling station in Nyameni was the first visible evidence that there would be an election. Otherwise, Marondera East constituency did not have any events that signified a national event. At Dhirihori Business Centre in the same constituency, the team came across some curious ZANU PF youths but they did not interfere with their work. The team was made most welcome at Mupazviriyo Business Centre.

It was difficult to obtain any information about scheduled rallies in Marondera because police stations kept referring the team to a senior police officer who could not be located. However, the prevailing peace boosted individual security and personal confidence among the prospective voters. Posters for both parties were more evident in Harare than in the rural constituencies. ZANU PF posters and regalia dominated the rural areas compared to the MDC.

In the rural constituencies of Goromonzi, Murehwa and Mutoko, people went about their business in an extraordinarily peaceful manner. Most polling stations were ready and deployment of election officials was almost complete.

The police had already been deployed in all the constituencies three days before the election. No incidents of violence were reported in the province, where fewer posters of ZANU PF and the MDC were visible. Fewer people were seen wearing party regalia in Mutoko than in Marondera and Murehwa. In some areas the gatherings that the team came across were ruling party supporters who were waiting for party officials to give them T-shirts.

EVENTS ON POLLING DAY

PAPST observers checked on the conduct of the election at four different stages, that is, the opening, voting, closure and counting stages. This process would determine the openness and conduciveness for potential voters to exercise their choice.

Opening

The election was conducted between 07:00 and 19:00 on 31 March 2005. In most constituencies voters queued very early, anticipating that the process would take time, a characteristic of previous elections. But the electoral reforms that had been implemented meant that polling officers were able to effect the process with only minor hitches. Witnessing

the opening of polling to the electorate was critical for observers to ascertain the improvements and effectiveness of voting in one day and interpretation of the ordinary voter on the use of translucent boxes instead of the wooden ones that have been in used since independence in 1980.

Acceptable proof of identity

- Valid passport
- Driver's licence
- Metal and plastic national identification card

Since Zimbabwe was implementing the SADC Principles and Guidelines for Democratic Elections for the first time, it was important to observe prospective voters casting their vote because some political parties contesting this election had expressed fears that voter education had not been adequate and therefore that their supporters would be prejudiced.

Confusion over use of three ballot boxes

The use of ballot boxes according to the alphabetical order of surnames of the voters caused confusion at some polling stations because some voters wondered why polling officers were holding them up while allowing latecomers to cast their votes first! At most of the stations the teams visited, political party agents were present and were reportedly pleased with the way the election was being conducted.

Polling

Only one incident was reported. At Meeting House polling station in Murehwa North Constituency, Mashonaland East Province, a woman arrived wearing ruling party regalia. The presiding officer, party agents and police handled the matter and voting proceeded without other incidents of a similar nature.

A notable number of voters asked for assistance. The reasons that were advanced included disability, blindness and illiteracy, particularly in rural areas whose most voters are elderly people. Voters who spoiled their papers were not aware that they could ask for another ballot paper.

Turned away

The observers were informed of an alarming number of people who were unable to cast their vote for various reasons, including names missing

from the voters' roll, going to the wrong constituency, and failure to produce identification.

Table 9 Spoilt votes per province in 2005 elections

Province	Spoilt votes
Bulawayo	828
Matebeleland North	4,612
Matebeleland South	4,519
Midlands	8,036
Mashonaland West	6,784
Mashonaland Central	6,560
Mashonaland East	8,988
Masvingo	9,333
Manicaland	6,644
TOTAL	59,679

There was evidently no hostility between party agents representing contesting candidates as some were seen exchanging notes or chatting. Monitors and police officers helped maintain order and directed voters to their respective rolls for further assistance by polling officers.

Closure

Nearly all polling stations where the observers chose to witness counting closed on time. Prospective voters within hundred metres of the station were allowed to cast their votes. However, many voters had already cast their votes during the day and most of the stations were not busy at closing time. Polling in one day proved a resounding success.

Counting

The PAPST observers reported various ways of counting that were used by presiding officers. In spite of the way in which the presiding officers conducted counting, the procedures for counting were followed and transparent. Some PAPST observers noted that some presiding officers did not immediately post the result outside their station after counting.

Announcement of results

Results at each polling station were relayed to the constituency command centre, which in turned relayed them to the provincial centre. The

provincial command centre relayed the results to the national command centre where the chief election officer announced them to the public on local radio and television. The international media that witnessed the election also beamed live to their respective stations.

Challenges of transmitting results

Some polling stations relied on police officers to transmit the result using their walkie-talkies. PAPST was concerned that the presiding officer who was lawfully mandated to do so left it to the police to transmit the results. Poor communication led to delays in announcing results for rural constituencies.

POST-ELECTION PERIOD

The end of the election and announcement of the results did not stop some people wearing their regalia, even after their candidates had lost the election. Celebrations were mostly peaceful, although some isolated incidents of provocative celebrations were reported. However, these did not disturb the peaceful atmosphere that had characterised the pre-poll period and the actual polling day.

Following the final count of the votes, the opposition challenged the results in a number of constituencies where they alleged that the numbers did not tally. In the event the ESC and the ZEC both pronounced that in their view the election had been free and fair.

Many of the observer missions were also of the view that the peaceful environment in the pre-poll period had enabled the electorate to express their choice in the poll of 31 March 2005. It is clear that the reports will carry recommendations about how improvements can be made in future elections, especially on the critical issue of voter education.

VOTER EDUCATION

Before the ZEC came into existence, the ESC was responsible for voter education. The knowledge base of a voter has a profound effect on the election returns as it determines the quality and effectiveness of the poll result. Political parties and their candidates should regularly interact with their supporters and share information that would reduce chances of spoilt votes. Imparting knowledge and skills to voter educators should be a timely and ongoing exercise so that their education is relevant and effective.

Following the number of people who were turned away and the spoilt vote, PAPST is of the opinion that voter education was inadequate and untimely. While it is argued that the ZEC (and the ESC before it) carried out voter education, the material content and quantity were evidently inadequate.

Dissemination of voter education materials

- Voter education materials were disseminated through the electronic and print media.
- Posters and flyers were posted in some parts of the constituencies.
- Candidates and their campaign teams actively used every opportunity to inform their supporters and public whenever an occasion presented itself.

GENERAL SUMMARY OF OBSERVATIONS

- Peace generally prevailed in all the constituencies visited with people mixing freely while wearing their party regalia.
- Supporters of the various political parties exhibited a high degree of tolerance and maturity.
- The security agents were alert, cooperative and on top of the situation. This enabled citizens to exercise their democratic right to vote freely.
- Deployment of election officials went smoothly with only minor hitches. These were attended to by the relevant authorities administering the election.
- Urban centres dominated in the display of campaign materials for all parties involved compared to rural areas.

RECOMMENDATIONS

- The ZEC should work with more organisations that are in civic education in order to consolidate the quality, quantity and distribution of voter education materials.
- Television should be used to demonstrate voting procedure where appropriate.
- Visual aids should be used as much as possible to reach areas where television is not available.
- Bubi-Umguza command centre could have been in Bulawayo and not Inyati for easy access by polling stations.
- The ZEC and the ESC should inspect all polling stations and verify their suitability for elections.

- In future elections communications between polling stations and command centres should be improved.
- Polling stations should be in areas that are easily accessible.
- Organisations mandated to carry out voter education should emphasise the importance of inspecting the voters' roll and familiarisation with the voting procedure in order to minimise spoilt votes.
- Voter education is needed on voting procedures and other aspects such as the physical layout of polling stations.

NOTES

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28 Summary of war veteran statements made in various CRWs held around the country.