

**Background speaker notes –**

**“Fragile States Strategies and their Application to Zimbabwe”**

**Washington DC, USA, 31 March 2011**

**Steve Kibble, Chair, Zimbabwe Europe Network**



**Purpose:** To discuss the extent to which civil society is able to advocate for reform at national and local levels in Zimbabwe and the effectiveness of NGOs in demanding more accountable and transparent government.

**Key Elements to Include:**

Mechanisms civil society use to advocate for reform; and instances where civil society has successfully pushed for change either at the national or local level.

The role civil society plays in both the national and local decision making process. How has civil society been involved in public consultations regarding a new constitution?

The extent to which NGOs are involved in service delivery.

Effective mechanisms to support civil society to advocate for locally identified priorities.

Key points

- 1) ZANU-PF as a liberation movement thinks itself as the only legitimate channel for politics – ‘impunity, repression, arrogance, kleptocracy, indigenisation’. Lines in the sand – no free and fair elections, no relaxation of state control of broadcasting;
- 2) Military control (silent coup) exacerbates that;
- 3) NGOs are therefore under permanent suspicion, although divide and rule + and incorporation also other tactic. Civil society moved from 1980s complementarity with state, to poverty alleviation and confrontation in 90s with ESAF, and now has three major roles - document/ publicise hr abuses, humanitarian provision including legal support, civic education on rights including electoral and gender – despite POSA etc.
- 4) Civil society ‘big-hitters’ – danger that ‘super NGOs’ by their very existence say smaller ones take space from smaller, grassroots, women-led CBOs, although there has been a strong emphasis on gender politics historically.
- 5) What dangers of NGO ‘ZANU-isation’ – lack of unity, big chiefs, male dominance, MDC attempting to control?
- 6) Outside donor predilections and policies accentuate this
- 7) Churches improving from quietism (especially over state culture of impunity, slide to authoritarianism) although ‘protocol often dominates prophecy’. Regime keen to control/ divide.
- 8) Trade unions forced on backfoot, more vulnerable as the formal working class declines in numbers and collectivity.

- 9) NGOs better on information provision, or in some cases direct action, aimed at best at indirect influencing of government – but brave. Last major success was Domestic Violence Bill (although implementation tricky).
  
- 10) NGOs similarly to MDCs historically better at relations with West not region, and latter shares some values and characteristics of ZANU-PF in relation to NGOs (as well as West).

### **Introduction – general points**

Many outsiders, possibly including Pretoria, think of Zimbabwe as susceptible to ‘normal solutions’, but Zimbabwe is in fact a very abnormal society - shown by the slogan at the December 2010 ZANU-PF congress of ‘the final battle for total control’, which implies a complete lack of commitment to genuine power sharing. Only 16 unimportant parts of the 25 of the Global Political Agreement (GPA) commitments between the parties have been implemented, and none of those crucial for overturning sole ZANU-PF control (such as the security sector and the broadcast media). Many in civil society see the only real gainers from the GPA as the former sole ruling party who have had breathing space to consolidate and rebuild their client networks and put the means of intimidation into place. Zimbabwe remains characterised by a mix of authoritarianism and anarchy. Authoritarianism is not total control but a combination of ‘the silent military coup’, threats and control of information – such as the lack of independent media, especially broadcasting. Uncertainty surrounds the future of the Inclusive Government (IG) ) which completed two years on 11 February 2011. It is likely to limp on under severe attack from ZANU-PF despite recent threats to pull out by former opposition leader Morgan Tsvangirai. This affects civil society and churches in a number of ways.

Others point to some positive impacts of the IG: checks on the gravy train for the ruling elite (such as unlimited subsidies), an economic upturn (although from a very low level) and the replacement of the Zimbabwe dollar, budgets no longer being rubber stamped, local authorities having a little more space for manoeuvre and improvements in education provision.

The mood among NGOs and churches seems a mix of wariness and weariness. There are contradictory messages from both sides of the IG and conflict within MDC –M (or N) and no clear position on whether elections should be preceded or not by a constitutional referendum. Technically it would seem impossible to have conditions in place for elections before the last quarter 2011/ 1<sup>st</sup> quarter 2012. However, following the recent ZANU-PF congress the party has gone into electioneering mode with all that that implies and some observers predict an date as soon as June 2011. The violence which always accompanies Zimbabwean elections has already erupted in Harare and its townships and in Bulawayo.

There are reliable reports that military and militia have been deployed down to village level to ensure intimidation, inhibit political discussion and encourage ‘correct’ voting<sup>1</sup>. This is matched by continuing low levels of anti MDC and civil society activity in rural areas such as beatings and denial of access to such areas. There are already reports of people being forced to attend *pungwes* – all-night pro-ZANU-PF rallies - against their will.

---

<sup>1</sup> See ZimOnline 20-21 Jan 2011

Women are likely again to be disproportionately affected by any resurgence of violence; in particular political rape has been seen in the past. Some NGOs are collecting testimony but there are difficulties in using it since victims are easily identified.

Donors are pursuing a dual track policy of re-engagement alongside targeted measures against key ZANU-PF human rights abusers. In particular, the EU has opted for re-engagement, but without noticeable success as in the Brussels meetings between EU and Zimbabwean IG partners in July 2010, when ZANU-PF ministers showed little interest in dialogue. The key objective of donor engagement, namely establishing the conditions for a peaceful transfer of power, subject to electoral outcomes is miles away. It is possible donors have contributed to a weakening of the MDC-T as political party, organisation, mobilising force - not necessarily deliberately but they have emphasised and pushed for "government" and seem willing to support government ministries led by MDC-T. Why? Because the really large donors are governments and their preferred and general mode of operation is with government. Of course foreign governments cannot be the source of funding for the MDC-T but how can the MDC-T – the largest party in parliament operate when Zanu PF largely control the resources? Donors have viewed Zimbabwe as capable of being fixed technically, but perhaps need greater political analysis.

Only ZANU-PF appears to have a clear strategy. The MDCs appears weak, divided and unwilling according to informants to listen to advice. Apart from arrests for 'treason' for those discussing the events, there have been no discernible knock on effect from Tunisia, Egypt etc according to reports from informants. The fact that there is no occupation of the middle political ground by a mass movement, but only disunited NGOs may be a pointer to the lack of grassroots activity. Although President Zuma of South Africa is allegedly working on a 'road map' for free and fair elections, few believe that he or SADC will really crack the whip. Activists report though that Pretoria is very anxious to avoid another illegitimate election.

#### *A "too civil" society?*

There is plenty of activity within civil society but this is not necessarily coordinated and there has been little attempt at formulating alternative policy. The National NGO umbrella body NANGO has a joint forum with the churches and along with other NGOs is engaged in the constitutional and national healing processes and preparing for possible elections in 2011 by calling for pre-conditions to help free and fair elections. Others are involved in violence monitoring and reporting. The Zimbabwe Human Rights NGO Forum take up court cases against individual human rights abusers, lobbying African and regional governments and institutions such as the African Commission on Human and People's Rights. Other NGOs are engaged in the dangerous work of tracking what is happening in the military-controlled diamond fields in the Chiadzwa/ Marange area where there is no access. There is also work on the Universal Periodic Review that considers Zimbabwe's compliance with human rights standards in October.

There has been movement from the churches such as the Heads of Christian Denominations statement in (some of) the media calling for peace on 4 February. But there is always the danger according to more radical elements in the churches that without sustained commitment to unity that there will be reversion to turf republics with uncertainty among church leaders as to their line, position, political/ prophetic and dealing with para-church bodies like Zimbabwe Christian Alliance. Bishops in the Catholic Church are divided and not happy going outside their pastoral comfort zone.

There has been little public solidarity with the Anglican church, which is under particular pressure (with government connivance) from the sacked bishop of Harare, Nolbert Kunonga. Activists still see the churches and women (and youth to some extent) as perhaps the key constituencies for democratisation.

*Some civil society responses on the questions*

*Ø Mechanisms civil society use to advocate for reform; and instances where civil society has successfully pushed for change either at the national or local level.*

Most observers here would cite the introduction of the Domestic Violence Act as a successful intervention by civil society, but largely despite the forums mentioned below, the story has largely been of government indifference or hostility and NGOs preferring to work directly with other NGOs or certain grassroots interventions.

-CSO use and have used some of the following methods:

- research and policy analysis (& producing policy briefs)
- drafting and lobbying for legislation (e.g. The Domestic Violence Bill)
- monitoring e.g. implementation of legislation, peace monitoring (monitoring of human rights abuses)
- reporting on the issues monitored including production and dissemination of shadow reports
- reporting the testimonies of victims has worked to raise the profile of issues and has assisted with advocacy,
- some will try and engage/dialogue with sections of the State e.g. Parliament (MPs), Parliamentary Portfolio Committees, working with specific Ministries and technocrats with those Ministries,
- working within sectoral clusters, e.g. Water, Sanitation and Hygiene Cluster (which brings together civil society, the UN and the Government).
- strategic litigation has also been used
- knowing who to target is also key. The Southern African Development Community (SADC) is a key institution and has been instrumental in bringing about reforms especially to the electoral processes in Zimbabwe.

The success of lobbying initiatives depends on the political sensitivity of the issue at hand.

-The enactment process of the Domestic Violence Act, saw the Ministry of Women Affairs, Gender and Community Development working very closely with civil society organisations.

-There has been no such collaboration in the advocacy around the ratification of the Convention Against Torture, where despite considerable efforts, no ratification has happened.

*Ø The role civil society plays in both the national and local decision making process. How has civil society been involved in public consultations regarding a new constitution?*

-As observed above, the space given to CSOs will depend on the issue/area of focus and the political alignment of the relevant ministry? For instance, in the (uncontentious) area of HIV and AIDS, Government works very closely with NGOs and Churches, down to the level of working with civil society to produce the National HIV and AIDS Strategy, monitoring frameworks etc. In the Health Cluster, Government works very closely with civil society organisations and Churches in responding, e.g. the current campaign to

reduce maternal mortality is a collaborative effort between the government and its partners in civil society and the Church.

-There is need to understand the role of donors who fund civil society and to understand who informs the positions they take on different issues. It is important for civil society organisations also to advocate with key funders who are influential both with the State, but also in providing the resources for some of the civil society actions (or indeed withholding the resources for certain actions that might be priorities for civil society).

-In Zambia, once relations between the then new MMD government and the international community normalised, the discussion on national priorities became an issue for the government and major donors with little space initially for civil society to influence decisions. Advocacy by civil society organisations resulted in the creation of space for civil society to participate in what are called Sector Advisory Groups, which is a space for stakeholders to input into the National Development Plans. CSOs therefore need to bring influence to bear on key external decision makers, not just the national authorities.

-civil society organisations have been very involved in the discussion on the crafting of a new Constitution, discussing both how the process should take place and also the desired content of the proposed constitution. However, the process currently in its final stages has largely been negotiated by the parties to the Global Political Agreement. Most civil society organisations would have wanted the process led by an independent person/commission, but the current constitution making process is being led by Parliament. The process is being run by the Constitutional Select Committee (COPAC) which is headed by three appointees, one from each of the three political parties that are party to the Global Political Agreement.

-Civil society organisations have played a significant role in awareness raising in the communities on rights and the constitution making process. There is concern that the process has already been hijacked by the different political parties in order to push their agendas (and subsequently by the security forces). There are very real fears that the outcome of the constitutional making process will be a negotiated party political process, much like the Global Political Agreement, rather than a genuine capturing of the concerns and wishes of the people.

*Ø The extent to which NGOs are involved in service delivery.*

NGO service provision (both international and national) is significant in Zimbabwe, and has become increasingly important with the decline of state services in recent years. Many UN and government services are also in practice delivered by NGOs.

-examples include, Churches and other NGOs involved in the running of hospitals and provision of medical services.

-provision of legal aid services in the absence of government legal aid service provision,

-Cholera response

-water and sanitation (drilling of boreholes, construction of toilets)

-livelihoods and food security

-education (construction of schools, provision of education materials)

-care of orphans and other vulnerable children

-provide the only support to victims of torture.

Ø *Effective mechanisms to support civil society to advocate for locally identified priorities.*

- This is a tricky question, because a good deal depends on the goodwill of the State and where the State is determined to limit the space for civil society, then the focus should shift to - how do you work with a rogue State?

- A critical player in a context such as this is the Church. The importance of the Church is underscored by the increasing attention political players are expending on churches. Increasingly, churches are being/have been co-opted into political structures, participating at State functions in their numbers.

- The Churches as players in this context need capacity, including,

- Research (in order to get their facts right). When civil society gets its facts wrong, it is damaging, but when the churches make mistakes, the effect is much greater because of their very high level of influence.

- Advocacy capacity, in order to understand how and why to advocate effectively

- They need media skills as has been noted on several occasions when they appear to have been wrongfooted by ZANU-PF when attempting dialogue. There is therefore need for skills so that they understand the power of the media for both 'good' (how to use the media in advocacy) and 'bad' (how media can manipulate information, publicise things etc.).

#### *Diaspora attempts at influencing Policy*

There have been several attempts to engage the Zimbabwe government and lobby for Diaspora friendly policies. There were several conferences held including in London 2009-2010 that brought several key officials including the deputy prime ministers, the minister of education, national healing and others. Unfortunately most were from the MDC factions even though their secretaries would be ZANU PF sympathisers. The result of all this engagement was as follows:

- Diaspora Policy - there was an attempt by the Prime Minister's office to develop a diaspora policy and an officer was appointed. A draft policy was crafted in consultation with leading figures in the diaspora. There has been no progress since. A UK-based Zimbabwean church leader stated that he had challenged the minister who had initiated the process and he explained that as long as ZANU PF see the diaspora as a threat there will be no progressive policy
- Constitution making. Similar church ministers led a diaspora coalition that included organisations from South Africa to lobby for diaspora involvement in constitution making. 'This was always going to be difficult and so despite three meetings with the co chairs of COPAC they still dismissed diaspora involvement as late as August 2010 where various press reports dismissed our efforts quoting the three co chairs. However due to 'X's' tact and diligence we were able to push COPAC to have a meeting with the diaspora groups in Joburg and in October 'X' and 'Y' led a diaspora consultation along with (a Joburg-based lawyer) that met with the three co chairs including ZANU PF in Joburg and agreed a seven point 'roadmap for diaspora involvement' which they confirmed in various press interviews. However this has never been followed up largely due to the collapse of the constitution making process in Zimbabwe. However, it may be viewed as an example where there was some success in shifting policy regarding diaspora involvement. We wait to see, however, that if the process for a referendum goes ahead whether the diaspora be involved as was seemingly agreed.

- Engagement with the Zimbabwe Embassy in London - There has always been no love lost between the Zimbabwe Embassy and the diaspora. The embassy has previously functioned as an instrument of attrition against the diaspora. With the formation of the Zimbabwe Diaspora Focus Group (ZDFG) whose chief purpose is to engage the UK government on Zimbabwe policy, we have seen greater engagement with the Zimbabwe embassy to the extent that there is a willingness to be more affirmative than confrontational against diaspora. However, this has still not translated into any policy, so it is pretty much work in progress.

In conclusion I would say that without effective strategies to engage all sides of the government, civic society will be confined to shouting from the sidelines. Clearly civil society's close proximity to MDC-T may in the long term work against it. However a UK activist opined that this might partly be the fault of funders who may have inadvertently applied pressure for the NGOs to adopt an adversarial stance against ZANU PF making them unable to influence. I agree as well that we tend to see more success at a local level with local groups such as Habakkuk Trust being able to effectively lobby councils on behalf of residents. However at a national level I think the relationships remain tense and ZANU PF is happy to keep it that way to deflect any attempts at policy engagement by accusing NGOs of being fronts for western agents of regime change' (quotes from UK-based Zimbabwean church leader).

*The Radical take:*

*I would also like to share the "radical" take on civil society which also needs reflection. This challenges the orthodox view of CSOs/NGOs as benign actors and seeks to identify areas of passive complicity with abuses:*

An activist with the civic movement puts it this way: 'Civil society is a heterogeneous phenomena and cannot be treated as an entity acting cohesively or coherently. Organisations range from 'super-NGOs' like NANGO and Crisis Coalition through faith-based organisations to activist grassroots groups like WOZA. Each has a different dynamic identity and their strategies vary from developmentalism to political or issue-based activism, their tactics range from merely issuing statements to street action.

'Civil society' has been institutionalised through donor pressure and consequently formerly active groups have been domesticated. Many organisations are run by employed professionals rather than activists and/or founders who are subsequently marginalised. These CEOs etc form an 'inpatriate' aristocracy more concerned with job preservation, workshopping, per diems and jumping through the (shifting) hoops erected by donors than with implementing core activities let alone confronting the regime.

Furthermore many NGOs and CSOs have been co-opted by the MDC-T which has actively reduced some to mere departments of the party and delegitimized independent or non-aligned groups - while elsewhere infiltration and subversion by ZANU-PF and state security has occurred. These factors have reduced the role of civil society as an independent force for change. International donors should promote the development of independent and inclusive CSOs through a radical shift in donor practice'.

Developmental NGOs from this perspective are deemed 'studiously non-political' and serve to ameliorate the effects of the regime's policies rather than critiquing these and advocating for a legitimate government that would implement properly debated and

articulated policies. Such NGOs are essentially collaborating with the regime and serve to perpetuate its existence while defusing communal anger. Real development is impossible in the current milieu and will remain so until the removal of the regime and the establishment of a legitimate government creates an environment in which personal and institutional security can be restored'. However others would argue that we must still have a channel for humanitarian relief (incl HR plus which can look like development intervention) and managing space for this is important. Perhaps the language of "development" is not the correct one under current circumstances.

To return to the activist quoted above: 'While legalistic liberal NGOs can engage in advocacy work for constitutional change within a narrowly proscribed field of activity, the violent and repressive nature of the regime which has not altered under the GPA means that other more strident voices are silenced'.

Donor policies should

1. Vigorously promote new formulations of independent civil society especially grassroots and youth groups in working class neighborhoods (e.g. by providing communal facilities to nascent groups)
2. Dissuade the MDCs from co-opting such groups and to recognise that true democracy requires dissent and diversity
3. Fund key individuals through awards, grants etc. to promote their activism
4. Fund networks such as Crisis Coalition through member organisations rather than directly to improve accountability to members
5. Promote working together and mitigate against 'empire building' by establishing shared resource centres
6. Encourage developmental/aid NGOs to engage in policy analysis and advocacy work to vigorously expose the policy deficiencies of the regime – and as a minimum to ensure that programmes "do no harm" to the key long term goal of improved governance and an end to human rights abuses.
7. Promote debates in the areas outlined in point 6 as opposed to (only) in 5-star hotels, the Book Cafe etc.
8. Promote a range of voices, not just the safe and acceptable ones speaking in safe and acceptable arenas (to ZANU PF that is)
9. Establish sectoral thinktanks including activists, intellectuals and others to develop position papers etc. to support debate, development of alternatives and advocacy
10. Encourage the delegitimisation of individuals in the IG where there is clear evidence of corruption and anti-democratic practice. It is pointless lobbying such individuals for real change and just wastes time or discourages people.

## **Conclusion**

Despite attempting to engage in a number of forums with government, NGOs and wider civil society are still the object of suspicion - a not uncommon phenomenon with authoritarian regimes. Certain NGOs are able to undertake low level grassroots peace-building work with support from both major parties. However, this cross-party support is unusual. External funding from northern donors is often used to claim that there is a hidden regime change agenda behind advocacy work, and threats against NGOs continue.

This includes raids on offices, enquiries into the memoranda of understanding with the government, media attacks and the like. In this situation it is difficult for NGOs to secure the space to successfully influence policy, let alone formulate alternatives (which has not historically been a key strength in Zimbabwe). It is often seen that there is a preponderance of legal-based initiatives rather than political / policy ones – perhaps reflecting the number of lawyers in the major NGOs. As is also not uncommon there are a number of male NGO leaders who have been in power for long periods and renewal of NGOs is in some cases, overdue, especially to combat the under-representation of women. This limits the extent to which civil society is able to advocate for reform at the national and local levels and the effectiveness of NGOs in demanding more accountable and transparent government.

Steve Kibble  
Zimbabwe Europe Network  
Revised 4 April 2011