

# Old Beginnings



*Poster of General Chiwenga, 18 November celebrations, streets of Harare*

## **The political context of Zimbabwe**

**and a report on**

## **Biometric Voter Registration (BVR): A National and Matabeleland Perspective**

**SOLIDARITY PEACE TRUST**

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## Political Context: 2017-2018

### **Introduction: The Trigger of Factional Politics**

November 2017 witnessed tumultuous events in Zimbabwean politics. After months of factional struggles between the Lacoste faction led by then Vice President Emmerson Mnangagwa, also nicknamed the crocodile, and the Generation 40 (G40) faction around President Robert Mugabe and his wife Grace, Mugabe fired Mnangagwa on the 6<sup>th</sup> November. This followed Mugabe's warning to Mnangagwa two days before when Grace Mugabe was booed at a rally in Bulawayo. The President's wife threatened the embattled Vice President with the call that the 'snake must be hit on the head.' This was the First Lady's decisive move in her bid for the Vice Presidency in the upcoming Zanu PF congress in December 2017.

This most recent factional struggle in Zanu PF follows a long history of violent internal battles within the party, from the years of the liberation struggle in the 1970s around ethnic and ideological questions. A few years prior to his own party exile, Mnangagwa played a central role in the removal of the previous Vice President Joice Mujuru, the wife of a key liberation commander Solomon Mujuru. As Miles Tendi has demonstrated, Mnangagwa, in support of the Mugabe's, with the central involvement of Army Chief Constantine Chiwenga and the machinery of the military intelligence, conspired in the ousting of Joice Mujuru. This event took place after a long factional struggle between the Mujuru and Mnangagwa factions since the 1990s.<sup>1</sup> Thus both the Mugabe's succession plan and Mnangagwa's long held Presidential ambitions have been in play for some time. While they have at certain times coincided in their strategic intent, at some point the final confrontation between the two was always on the cards.

The firing of Mnangagwa from the Vice Presidency and his expulsion from Zanu PF, however, had vastly different effects on the Zimbabwean polity. While Joice Mujuru's dismissal and the expulsion of several of her allies caused some disturbance in the ruling party, it was nothing like the turbulence that followed Mnangagwa's removal, and the attempt to arrest General Chiwenga at the airport on his return from China. The statement justifying the decision to fire Mnangagwa, accused the former Vice President of persistently exhibiting 'disloyalty, disrespect, deceitfulness and unreliability', and that he had behaved in a manner 'inconsistent with his official duties'.<sup>2</sup>

In response Mnangagwa, who fled the country soon after his removal from Government, accused Mugabe of allowing the ruling party to be 'hijacked by novices and external forces' with a track record of 'treachery'. In a manner that gave a clear indication of the intervention that would follow Mnangagwa warned Mugabe:

I will go nowhere. I will fight tooth and nail against those making a mockery against Zanu PF founding principles. You and your cohorts will instead leave Zanu PF by the will of the people and this we will do in the coming weeks.<sup>3</sup>

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<sup>1</sup> M.B. Tendi, *State Intelligence and the Politics of Zimbabwe's Presidential Succession*. African Affairs, 2016. DOI: 10.1093/afraf/adis 074.

<sup>2</sup> Press Statement: Termination of Employment of Vice President Emmerson Mnangagwa. S.K. Moyo, Minister of Information, Media and Broadcasting Services, 6 November 2017.

<sup>3</sup> Press Statement-Former Hon VP ED. Mnangagwa 8 November 2017.

## The November Coup

Soon after this statement it was clear that Mnangagwa's exit statement was no idle threat. On November 13, the Commander of the Zimbabwe Defence Forces Constantine Chiwenga sent out an ultimatum at a press conference surrounded by ninety senior officers. The armed forces, he stated, are the major 'stock holders' of the liberation struggle and would take corrective measures against counter revolutionaries threatening to destroy Zanu PF from within. This was a clear reference to Grace Mugabe and the G40 grouping around her. Chiwenga carefully cast his intervention in the language of Constitutionalism stating:

Let us begin by quoting the Constitution of this country particularly the preamble which speaks of 'Exhaulting and extolling the brave men and women who sacrificed their lives during the Chimurenga/Umvukela and compatriots who toiled for the progress of our country'.<sup>4</sup>

Continuing in the language of constitutionalism Chiwenga quoted Section 212 of the Constitution, which he argued 'mandated the Zimbabwe Defence Forces to protect 'its people, its national security and interest and its territorial integrity and to uphold the Constitution'. Finally, Chiwenga warned that even though Mugabe remained the Commander in Chief and Head of State of Zimbabwe, the armed forces would protect 'our legacy' and that 'those bent on high-jacking the revolution will not be allowed to do so.'<sup>5</sup> In response, Zanu PF'S National Secretary for Information and Publicity labelled Chiwenga's statement 'an outrageous violation of professional soldiership' that suggested 'treasonable conduct'. Moreover, he reaffirmed the official position of the ruling party, which placed the 'primacy of politics over the gun.'<sup>6</sup> This position was in turn affirmed by the Zanu PF Youth League.

On the 15<sup>th</sup> November, Chiwenga's statement of intent was followed by the military takeover of the country's broadcasting service. An announcement by Major General Sibusiso Moyo stated that the military was stepping into the Zimbabwean political fray, in order to 'pacify a degenerating political, social and economic situation'.

While the Zanu PF spokesperson and Secretary for the Youth League immediately denounced Chiwenga's statement as an attempt to subvert the Constitution, the military were careful not to cast their intervention as a coup. Major General Moyo stated that this intervention 'was not a military takeover of government', but an effort to stop a degenerating political, social and economic situation in the country. Repeating the positions of both Mnangagwa and Chiwenga, Moyo described the army's actions as targeting criminals around Mugabe who were causing suffering in the country. Moreover he assured the country that Mugabe and his family were safe and that as soon as their mission was accomplished the country would return to 'normality'.<sup>7</sup>

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<sup>4</sup> Press Statement: Commander of the Zimbabwe Defence Forces General Constantino Chiwenga, 13 November 2017.

<sup>5</sup> Ibid.

<sup>6</sup> Press Statement by the Zanu PF National Secretary for Information and Publicity SK Moyo, 14 November 2017.

<sup>7</sup> 'No Military Takeover in Zim: Defence Forces'. Herald, 16/11/17.

The intervention by the military was named 'Operation Restore the Legacy', but in reality it was a coup in favour of the Mnangagwa faction in Zanu PF. However, the military were fully aware that neither SADC nor the African Union would recognise a new regime brought in through such means. Thus Mnangagwa and his supporters in the Zimbabwe Defence Force opted for a carefully choreographed, three pronged strategy. Firstly, as mentioned above, the avoidance of any reference to a coup d'état and the continued acknowledgement that Mugabe remained the Commander in Chief of the armed forces. Secondly, the 'Mugabe must go' march organised by the War Veterans on the 18<sup>th</sup> November was devised to provide popular support for the military's action. The organisers counted on the accumulated resentment for the Mugabe regime amongst the Zimbabwean citizenry and their calculation was correct. The thousands that turned out for the march celebrated in a carnival of cathartic joy and unified release, manifested in a temporary romance between the armed forces and the citizenry. Thirdly, in order to provide the constitutional veneer for the military intervention, the Zanu PF Central Committee met on the 19<sup>th</sup> November and made several decisions. It expressed gratitude to the military for its intervention in the internal affairs of the party, with a view to bringing normalcy to the party and government.



*Crowds cheer a tank on the streets of Harare, 18 November 2018*

More decisively, the Central Committee expelled twenty members of the G40 faction from the party and removed Robert Mugabe from his position as President and First Secretary of the ruling party, also recommending that he resign as state President. Grace Mugabe was also relieved of her post as Secretary for the Women's League and Vice President Phelekezela Mphoko removed from his post. The party then elected Emmerson Mnangagwa as the new interim President of Zanu PF and nominated him to fill the vacancy of state President. The Central Committee also reinstated membership to all those who were subjected to disciplinary measures since 2014, and recommended that War Veterans be placed in 'strategic positions within the Party and Government on the basis of merit'.<sup>8</sup> One day before this Central Committee meeting, the Commander of the Zimbabwe National Army, Lt. General Valerio Sibanda, announced the end of Operation Restore the

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<sup>8</sup> Press Statement by the Zanu PF Secretary for Information and Publicity Cde Ambassador S.K Moyo on the outcome of the Central Committee Special Session held at the Party Headquarters on 19 November 2017.

Legacy, stating that ‘a new political dispensation has been ushered in to take Zimbabwe into its rightful place within the SADC and the world at large’.<sup>9</sup>

It was the hope that this strategy would force Mugabe to resign voluntarily, before which he would appoint Mnangagwa as Vice President and thus ease the path for his successor. However, in a public address to the nation on the evening after the central committee meeting, Mugabe took no such position. Instead he made a somewhat surreal speech assuming he was still in charge. He stated that the military intervention was not a challenge to his command as President and Commander in Chief. Moreover, he would preside over the December Party Congress to deal with the issues that had been raised by the military and ‘return to the guiding principles of our struggle’.<sup>10</sup>



*Car with poster calling on Mugabe to go, Harare, 18 November 2017*

This forced the Mnangagwa group to proceed with their next course of action, namely the impeachment of Robert Mugabe. Following the decision of the Zanu PF Parliamentary Caucus to initiate impeachment proceedings on the 20<sup>th</sup> November, the process was put in motion in Parliament on the 21<sup>st</sup> November. Amongst other charges, Mugabe was accused of allowing his wife to ‘usurp Government functions’ and ‘state resources’, as well as ignoring all ‘allegations of corruption and misappropriation of public funds’. Mugabe was also charged with the inability to perform the functions of the Office ‘because of physical or mental incapacity’.<sup>11</sup> On the same day Mugabe sent in his resignation letter to the Speaker of the House of Assembly. In the letter Mugabe wrote that his decision to resign was ‘voluntary’ and arose from his concern for the welfare of the people of Zimbabwe and his ‘desire to pursue a smooth, peaceful, and non-violent transfer of

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<sup>9</sup> Press Statement by the Army Commander of the Zimbabwe National Army Lt. General Valerio Sibanda 18/12/17.

<sup>10</sup> Full Text of President Mugabe’s Address to the Nation, 19 November 2017. The Zambian Observer 20/11/17.

<sup>11</sup> Parliament of Zimbabwe. Tuesday 21/11/17. Joint Sitting of the Senate and National Assembly.

power'.<sup>12</sup> The resignation was greeted with another round of national celebrations. On the 24<sup>th</sup> November Emerson Mnangagwa was inaugurated as Zimbabwe's new President.

The irony of these developments is that both factions in this internecine struggle within Zanu PF have been at pains to deploy the language of constitutionalism, while in the past they have all worked to undermine the constitutional rights of the Zimbabwean citizenry. The military have been central to Mugabe's authoritarian rule, playing a key role in preventing a constitutional change of government through elections for most of the 2000s. It has carried out mass violations of human rights and been responsible for mass atrocities such as the Gukurahundi massacres in the mid 1980s. The liberation war legacy and the role of the war veterans have been at the heart of Zanu PF's legitimising national discourse throughout the post-colonial period, even if there have been ongoing internal conflicts between the veterans and the political leadership.<sup>13</sup> Since the emergence of the political opposition in the 2000s, the war veterans have remained central in the party's coercive structures,<sup>14</sup> while military personnel have been systematically placed in key positions in the media, electoral structures, the judiciary and the legislature.<sup>15</sup> By the mid 2000s, it was apparent that the Joint Operations Command, controlled by Mugabe and the security chiefs (and a legacy from the Rhodesian regime) which had originally operated 'under the tacit management of the party', had become 'an alternative to the state, and was, in effect, a parallel government.'<sup>16</sup> Moreover, the military have benefitted greatly from the patronage network in Zanu PF, occupying key areas in agriculture, mining and the parastatal sector.<sup>17</sup>

The Generals have for a long time made it clear that they are the arbiters of rule in Zimbabwean politics. The long held perception that, despite the defining role of the military in Zanu PF and state politics, Mugabe remained in firm control of the armed forces, has been decisively challenged. Although it was clear that for much of the post-colonial period, Mugabe retained control of the military elites through a combination of his position as Commander in Chief, his position at the pinnacle of the nationalist hierarchy, the use of patronage and the commitment of key sections of the military to Zanu PF,<sup>18</sup> this political control was eventually challenged once it was clear that the future of key sections of the military elite was under threat. In the present context the dominance of the military in Zimbabwean politics is clearer and more decisive than ever. This is evidenced by the appointment of military personnel to key positions in Government by President Mnangagwa. On the 18 December, the retired Air Chief Marshall Perence Shiri was appointed to the post of Minister of Lands, Agriculture and Rural Development, the retired Lt. General Sibusiso Moyo to the Minister of Foreign Affairs, while the retired Major General Engelbert Rugeje became Zanu PF's Political Commissar. Most significantly, the retired Commander of the Defence Forces, Constantino

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<sup>12</sup> President Mugabe Letter of Resignation 21 November 2017.

<sup>13</sup> N.Kruger, *Guerrilla Veterans in Post-War Zimbabwe- Symbolic and Violent Politics 1980-1987*. Cambridge, Cambridge University Press, 2003.

<sup>14</sup> P.Sorensen, Zimbabwe's Security Services - Views from the Inside. *RUSI Journal*, August/September 2010, Vol 155 Mo 4, pp. 58-68.

<sup>15</sup> Zimbabwe Democracy Institute Report, *Zimbabwe Transition in a Muddy Terrain*, Harare, 2017

<sup>16</sup> K. Chitiyo, *The Case for Security Sector Reform in Zimbabwe*. Royal United Services Institute, Occasional Paper, London, 2009, p8.

<sup>17</sup> G.Moyo, *The Curse of Military Commercialism in State Enterprises and Parastatals in Zimbabwe*, *Journal of Southern African Studies*, 2016, 42,2, pp. 351-364,

<sup>18</sup> M-B Tendi, *Ideology, the Civilian Authority and the Zimbabwe Military*, *Journal of Southern African Studies*, 39, 4, 2015, pp. 829-843.



Chiwenga, was appointed the Vice President of Zimbabwe. In accordance with the Unity Accord signed in 1987 a Second Vice President from Zanu PF's junior partner in Government the other liberation party ZAPU, was also appointed, namely Kembo Mohadi, a war veteran.

## **SADC, the AU and International Players**

In the first stage of these developments, both SADC and the AU reaffirmed their commitment to SADC's Democratic Principles as they relate to the unconstitutional removal of democratically elected governments and the AU Constitutive Act.<sup>19</sup> The SADC Organ Troika which met on the 16<sup>th</sup> November, then recommended an urgent Extra Ordinary SADC Summit on Zimbabwe, which summit in turn delegated the Presidents of South Africa and Angola to undertake a mission to Zimbabwe on the 22<sup>nd</sup> November to assess the situation.<sup>20</sup> This intended mission never took place, as it was overtaken by the processes leading to the resignation of Mugabe. Soon after the events, SADC responded positively to Mugabe's resignation hailing the 'discipline and peacefulness of the people of Zimbabwe'.<sup>21</sup> Despite the SADC official commitment to constitutionality, it can be argued the South African government in particular, since the time of Mbeki's mediation, has favoured a reformed Zanu PF through the stabilising force of the military, as the preferred option for change in Zimbabwe. It was clear that the Zuma administration were fully briefed on Operation Restore the Legacy as it unfolded. One report noted that Zuma was 'thankful that throughout the operation the Zimbabwe Defence Forces Command kept briefing the SADF to a point that the SA Government, through its defence arm, was always aware of what was happening.'<sup>22</sup>

It is also likely that the EU and the UK will come on board with this change. Since the 2013 election which once again kept Zanu PF in power, the EU has been at pains to find a workable means of engagement with the Mugabe regime, particularly through assistance given for electoral reform. As it is clear that there is unlikely to be any serious electoral reform ahead of the 2018 elections, the continuation of Mugabe's Presidency would have presented a real challenge for the EU. Some form of reform process without Mugabe will provide the EU with a new opening for further engagement, as it will for the British Government. Western countries as well as China and Russia all 'tempered their reaction and avoided condemning the military intervention' because of an international consensus that Mugabe needed to be replaced.<sup>23</sup> With regard to the US, given the multiple errors that the Trump administration is currently making on the global stage, and the minor importance of Zimbabwe in the geopolitical calculations of America, it is highly likely that there will be little attention given to developing a new policy on the country. The sanctions imposed on Zimbabwe through the Zimbabwe Democracy and Economic Reconstruction Act in 2001 are likely to remain in place.

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<sup>19</sup> Press Statement: SADC Organ Troika plus Council Chairperson Ministerial Meeting on the Political Situation in the Republic of Zimbabwe, Gaborone, 16 November 2017; 'The World reacts to ZDF intervention', Herald 17/11/17.

<sup>20</sup> Communiqué of the Summit of the Organ Troika plus SADC Chair on the political situation in the Republic of Zimbabwe, Luanda, 21<sup>st</sup> November 2017.

<sup>21</sup> 'SADC hails smooth transition'. Herald 23/11/17.

<sup>22</sup> 'SADC Chair Gives ZDF Thumbs Up'. Herald, 23/12/17.

<sup>23</sup> International Crisis Group, Zimbabwe's 'Military-assisted Transition' and Prospects for Recovery. Crisis Group Africa Briefing No. 134, Johannesburg/Brussels, 20 December 2017, p11.

## The New Narrative of the Mnangagwa Regime

It is possible that after an election in 2018, the Mnangagwa-led regime could include individuals from opposition parties to present an appearance of inclusivity and as a way to get new support for an economy in deep crisis. At present the economy is characterised by low levels of production, de-industrialisation and massive informalisation of livelihoods. Public expenditures have also been on the rise in the face of shrinking revenues and high levels of debt. A monetary shortage and dominant levels of electronic money use have fuelled high levels of speculative activity in the money market. The unsustainability of this set of production relations is clear to all the major players.

In his first Presidential address, Mnangagwa pledged that his administration will carry out various economic stabilisation measures, including: promoting a market economy, ensuring the safety of foreign investment, and compensation for white farmers who lost their land in the Fast Track Land Resettlement Programme. Mnangagwa also stressed the importance of unity and reviving the economy. He implored all party cadres to 'now think, sleep, dream and walk productivity.' He further warned his party that:

We will not be able to accomplish much for as long as our sense of party work remains hidebound in the template of looking at Zanu PF as about politics, politics, politics. No more! Its politics and economics! Let us recognise that the best emerge from the marketplace where livelihoods are made. Productivity at all levels must be religiously encouraged...<sup>24</sup>'

Ironically, this discursive emphasis on 'unity' and 'productivity' harked back to the politics of 'reconciliation' and 'development' of the 1980s, when Mugabe first came to power and began to consolidate his control over the ruling party and the state.<sup>25</sup> Also like Mugabe in the 1980s, Mnangagwa announced that he has 'already begun serious and focused dialogue with key constituent countries of the West....with the objective of normalising our relations.'<sup>26</sup> The first budget speech of the new regime also stressed the kind of macro-economic stabilisation neo-liberal measures that will assist in reviving the 2015 Lima Re-Engagement Strategy agreed to between the Government of Zimbabwe, the international financial institutions and other creditors. In his speech the Minister of Finance and Economic Development, Patrick Chinamasa, drew attention to the 'fiscal indiscipline' and 'quasi-fiscal expenditure' of the past. Moreover, the fiscal imbalances of the past, financed by Treasury Bills and overdrafts with the Reserve Bank had resulted in 'destabilising consequences' on the economy. The new Government's economic policy, Chinamasa promised, 'will be predicated on creating conditions for an increased production led economic recovery, targeting FDI.'<sup>27</sup> In order to attract FDI, the regime has also made changes to the Indigenisation

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<sup>24</sup> 'Congress marks New Dawn of New Era.... Zanu PF must be about Politics, Economics, and Servant Leadership to Replace Chef Syndicate.' Herald, 15/12/17.

<sup>25</sup> Sara Rich Dorman, *Understanding Zimbabwe-From Liberation to Authoritarianism*, London, Hurst and Company, 2016; B. Raftopoulos (ed), *Zimbabwe-Injustice and Political Reconciliation*, Cape Town, Institute for Justice and Reconciliation, 2004.

<sup>26</sup> 'Zim seeks Re-engagement on an Equal footing: Govt.' Herald 15/12/17.

<sup>27</sup> Government of Zimbabwe, National Budget Statement for 2018: Towards a New Order'. Presented to the Parliament of Zimbabwe on Thursday December 7 2017 by the Minister of Finance and Economic Development.



legislation stating that in the mining sector, the 51% local ownership requirement will only apply to diamonds and platinum.

An addition to these policy initiatives is a promise to move against corruption, with the regime targeting members of the G40 in the process. The regime has also gazetted a three-month moratorium within which those involved in financial malpractices will be allowed to return the funds and assets back to the country 'with no questions being asked or charges filed'. On the expiry of this moratorium period, the government intends to prosecute selected individuals.<sup>28</sup> It is of course clear that Mnangagwa and key members of the new regime will not be targeted for their corrupt activities, when there is clear evidence of a long history of such activities. In 2002 a UN report on the exploitation of natural resources in the DRC reported on the various networks involved in these exploitative activities:

The key strategist for the Zimbabwe branch of the elite network the Speaker of Parliament and former National Security Minister Mr. Mnangagwa, has won strong support from senior military and intelligence officers for an aggressive policy in the DRC.

Amongst the senior military figures mentioned were Air Marshall Perence Shiri and Brigadier Sibusiso Moyo, the current Ministers of Lands, Agriculture and Rural Development and of Foreign Affairs respectively.<sup>29</sup> The looting of resources in the DRC was followed by what Saunders describes as the 'privileged access to Marange diamonds' by a 'shadow axis of power' which included 'state security forces and factions of the Zanu PF elite'.<sup>30</sup>

Clearly, Mnangagwa's intent was to quickly move the debate away from the form that this transfer of power to his Presidency has taken, to a discussion on the economy, and renewed international engagements. The dominant mood of seeking economic and political stability at almost any cost in Zimbabwe has provided the space for the military to legitimise their intervention in favour of Mnangagwa. The careful avoidance of the term 'coup d'état' and the formal if not substantive adherence to the language and processes of constitutionalism in the party and the state have provided the veneer of 'legality' through which SADC, the AU and the rest of the international community have premised their muted compliance with the militarily imposed Mnangagwa dispensation. The military have also ensured the safety of Mugabe<sup>31</sup> and his family and at an official level continue to revere his role in the liberation struggle. The selective construction of the legacy of that struggle has always been central to the legitimising discourse of Zanu PF.<sup>32</sup>

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<sup>28</sup> President Mnangagwa - Granting of a three-month amnesty for the return of Illegally Externalised Funds and Assets. 28/11/17.

<sup>29</sup> United Nations Security Council-Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other forms of Wealth of the DRC. 16 October 2002, p 8.

<sup>30</sup> R. Saunders, Geologies of Power: Conflict Diamonds, Security Politics and Zimbabwe's Troubled Transition, in R. Saunders and T. Nyamunda (eds), *Facets of Power- Politics, Profits and People in the Making of Zimbabwe's Blood Diamonds*. Harare, Weaver Press, Johannesburg, Wits University Press, 2016, p35.

<sup>31</sup> Mugabe has also been granted a very generous retirement package. It includes: Staff support, office and equipment, a fully furnished official residence, four international trips per annum for him and his spouse and full health benefits. 'President Retirement Benefits Gazetted'- Herald 28/12/17.

<sup>32</sup> Terence Ranger, 'Nationalist Historiography, Patriotic History and the History of the Nation: the Struggle over the Past in Zimbabwe'. JSAS, 2004, 30,2, PP. 215-234.

## Challenges for the Opposition

The opposition political forces, deeply divided as they are, are likely to be further weakened by these events. Their first reaction to the coup was for the most part, one of approval. The Secretary General of the MDC-Tsvangirai applauded it: 'We are happy with what the army has done. It has done a good thing'.<sup>33</sup> Even at a later date, when they had more time to reflect on these events, the response of the opposition was at best ambivalent. After Mnangagwa paid a courtesy call on Morgan Tsvangirai, who is suffering with colon cancer, the latter called on the new administration to 'earn legitimacy through free, fair and credible elections.' However, he also looked forward to a partnership with the new regime:

My engagement with President Mnangagwa must herald a new page in our policies - a page in which the opposition is considered a partner and not an enemy of state. The visit can be built upon by truly well-meaning Zimbabweans to herald a new politics of engagement in our country.<sup>34</sup>

In the changed political context, the opposition forces face three challenges. Firstly, the cumulative effects of state repression, violence, state infiltration, the effects of repeated party splits and the loss of financial support from former donors, has greatly weakened the structures and capacity of the various MDC formations since the emergence of the first MDC in 1999. The serious illness of the central figure of the opposition, Morgan Tsvangirai, has also exacerbated the succession tensions within his party and cast serious doubts over his role in the 2018 elections. Secondly, the persistent challenges around uniting the opposition and attempts to build an electoral alliance to confront Mnangagwa Junta in 2018 appear likely to persist. At present there are three opposition alliances:

- MDC Alliance led by Morgan Tsvangirai and composed of the MDC-T, MDC (Ncube), a faction of the PDP led by Tendai Biti, Zim PF, Transform Zimbabwe, Zanu Ndonga, and the Multi-Racial Christian Democrats.
- People's Rainbow Coalition led by Joice Mujuru and including the NPP, and faction of the PDP led by Lucia Matibenga, ZUNDE and DARE.
- CODE led by a former MDC leader Elton Mangoma and includes what appear to be a very precarious alliance with Zapu.

Since the split in the original MDC in 2005,<sup>35</sup> attempts to build electoral alliances in 2008 and 2013 failed, as Beardsworth points out, due to several factors. These included: "vested interests, competition over constituencies in the opposition heartlands and a fear by these party functionaries that they would lose their 'special status' within their parties and within their ethnic homelands".<sup>36</sup>

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<sup>33</sup> 'Tsvangirai, Mutsvangwa jet in'. NewsDay 16/11/17.

<sup>34</sup> Statement by Morgan Tsvangirai President of the MDC-T/MDC Alliance, 08/01/18.

<sup>35</sup> B. Raftopoulos, 'Reflections on Opposition Politics in Zimbabwe: The Politics of the Movement for Democratic Change', in B. Raftopoulos and K. Alexander (eds), *Reflections on Democratic Politics in Zimbabwe*, Cape Town, Institute of Justice and Reconciliation, 2006.

<sup>36</sup> N. Beardsworth, 'Opposition Coordination in Zimbabwe's Polarised System'. Unpublished paper 2017.

Thirdly, the political discourse and policies of the opposition have been largely appropriated by the Mnangagwa regime. The removal of Mugabe has drawn heavily on the 'change' narrative that marked the MDC's entry onto the political scene, while the neo-liberal macro-economic stabilisation and international re-engagement policies have also been central to the programmatic demands of the MDCs since the early 2000s. Thus even as Zanu PF's authoritarian politics kept the ruling party in power, the opposition not only changed the key features of the dominant political messaging in Zanu PF and at a national level, but also contributed to the succession dynamics in the ruling party through the persistent threats to its continued dominance. In the often blame-ridden criticism that has emerged on the performance of the opposition, both by Zimbabwean commentators and former financial supporters of the MDC, there has been a wilful forgetfulness of how much the political and civic opposition have contributed to the changing political dynamics in the country. Lastly the loss of financial support for the opposition forces by former partners has had a debilitating effect on the operations of the parties.

## **The Role of SADC**

The centrality of 'stability' rather than 'democratisation' in the GPA process and the poor capacity of SADC to implement its obligations allowed Zanu PF to carry out the 2013 elections with minimal electoral reforms and in breach of the Zimbabwe Constitution. Nevertheless, according to its own electoral protocols SADC must be pressed into a more rigorous position on electoral commitments in the region. The SADC principles and Guidelines Governing Democratic Elections have been clearly set out. They include the requirement to:

- Promote and enhance adherence by each Member State to the SADC Treaty and the Protocols on Politics, Defence and Security Cooperation.
- Promote and enhance adherence to the principle of the rule of law premised upon the respect for, and supremacy of the Constitution and constitutional order in the political arrangements of the respective Member State holding elections.
- Promote the holding of regular free and fair, transparent, credible and peaceful democratic elections to institutionalise legitimate authority of representative government.
- Enhance electoral integrity by providing a basis for comprehensive and impartial observation and elections, and sharing of experiences and information among Member States about democratic development.
- Promote Electoral Justice and best practice in the management of elections and election related conflict.
- Encourage gender balance and equity; and ethnic and religious diversity in governance and development.
- Promote the development of inclusive political institutions; and enhancement of civil and political rights; and economic, social and cultural rights for the purposes of advancing democracy, prosperity, peace, stability and security in the region.<sup>37</sup>

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<sup>37</sup> SADC, *Principles and Guidelines Governing Democratic Elections*. Adopted by the Ministerial Committee of the Organ on Politics, Defence and Security Cooperation on 20 July 2015, Pretoria, South Africa.

Moreover, the Inception Report of the SADC Electoral Advisory Council (SEAC) adds a further dimension to these protocols by extending the election and oversight of electoral processes in Member States. Thus amongst other recommendations it calls for:

- A stronger role for the SEAC throughout the election cycle, with more details regarding the role of the SEAC during the pre-election period, the election itself and the post-election period, including the importance of Goodwill Missions and Pre-election assessments, and the advice that will flow from these regarding the technical requirements for the SADC Electoral Observer Missions.
- The recognition of the imperative of Long Term Observer Missions aimed at complementing Short Term Observer Missions and addressing gaps identified in the effectiveness of Short Term Observer Missions to date, indicative of a more holistic conceptualisation of the electoral cycle and the potential for conflict dynamics to escalate at any stage of the cycle.<sup>38</sup>

It is clear that there are sufficient grounds for strong advocacy and lobbying on the challenges around the Zimbabwe elections, within the existing and propose election protocols of the regional body. Thus in accordance with these guidelines the Zimbabwe Congress of Trade Unions called upon SADC and the International Community to ‘monitor the environment right from the voter registration process until after the announcement of results’.<sup>39</sup> The problem at present is that Zimbabwe has fallen off the SADC agenda since the 2013 elections and the end of the SADC facilitated GPA. At present there are other more urgent crisis that appear to be developing in the region such as the problems of Swaziland, Lesotho, Zambia and the DRC. More specifically in South Africa the ANC Government, under serious pressure due to accusations of state capture and increasing corruption, has also resorted to the language of ‘regime change’ to confront both its internal and external opponents. In his presentation to the ANC National Conference at the end of June 2017 the ANC Secretary General warned that ‘regime change, as an agenda, is a reality facing all progressive governments in developing countries.’ However he also presented a more nuanced position on this issue noting that concerns about outside agendas should not blind the ANC to the real domestic problems it faces in its own party. In his words:

A narrative was developed to link any discomfort with the influence of the Gupta family to the regime change agenda. While it must be acknowledged that regime change is a real threat that needs to be analysed and a strategy to defend the country and the movement needs to be developed, this cannot be used as a response to the perception or reality of corruption. Both objective and subjective factors in this regard need to be understood.<sup>40</sup>

The ANC must be reminded that it needs to apply the same nuanced assessment to Mugabe’s use of anti-imperialist, Pan Africanist and anti-regime change discourse to legitimise the undemocratic, authoritarian nationalism of Zanu PF’s politics against the citizenry of Zimbabwe.

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<sup>38</sup> SADC, *Inception Report: Development of the SADC Electoral Advisory Council (SEAC) Mediation Strategy for Pre and Post-Election Related Conflicts*. 7 July 2016.

<sup>39</sup> Information Department of the ZCTU, ‘ZCTU worried by rising political violence’, Harare, 26 July 2017.

<sup>40</sup> ANC Secretary General, ‘A Diagnostic Organisational Report: National Policy Conference, June 30-July 5<sup>th</sup> 2017.

It is therefore likely to be very difficult to focus SADC's attention once again on the Zimbabwe crisis unless regional advocacy is based on growing internal dissent and consensus around the lack of electoral reform and persistent denial of the SADC conditions for free and fair elections. This situation is compounded by the current stance of the EU. Since the period of the GNU the EU moved away from its sanctions policy towards a re-engagement with the Mugabe Government. This move was part of a more general loss of hope in the political alternatives in Zimbabwe. In the post 2013 period the EU has concentrated its engagement on humanitarian and social expenditure assistance to the Government through the UNDP and support for ZEC. The latter approach is based on the rationale that such support will:

- Prepare the ground for a more substantive engagement in the event of a legitimate election in 2018.
- Allow the EU to make a much more substantive judgment around the legitimacy of such an election.
- This more quiet diplomacy allows the EU to engage the Government of Zimbabwe more constructively on particular policy issues.

## **Towards the 2018 Elections**

For the Junta in Zimbabwe, it is imperative that it delivers an election that is free of violence even if they fail to introduce the electoral reforms that remain one of the major outstanding demands set out under the Global Political Agreement in 2008. The Mnangagwa regime desperately needs the legitimacy of a minimally acceptable election to move beyond the cloud of the military intervention. For the opposition and the civic movement, it is imperative to accumulate as much information as possible around the problems of the BVR process as this will be a key area determining the acceptability of the 2018 elections.



*Joshua Nkomo's statue amidst anti-Mugabe protests: Bulawayo, 18 November 2017*

## **BIOMETRIC VOTER REGISTRATION (BVR) EXERCISE: A NATIONAL AND MATABELELAND PERSPECTIVE JANUARY 2018**

Zimbabwe's electoral processes have long drawn criticism and have failed to receive universal recognition as being 'free and fair'. There have been multiple factors contributing to this, and the various elections since 2000 in particular have been extensively written about by civic organisations in Zimbabwe.<sup>41</sup>

The electoral conditions that have resulted in negative judgements of the electoral process since 1980 have included:

- Wide spread political violence, perpetrated predominantly by ZANU PF against any legitimate opposition. This has included the 'Gukurahundi' massacres of the 1980s that targeted ZAPU and its supporters, and the intense violence against MDC supporters during the presidential run-off period in 2008. Both involved the military at their core.
- The use of either the military directly in political violence, or of paramilitary groups such as the war veterans and youth militia, in terrorizing rural civilians.
- Other forms of electoral coercion, including threats of violence, threats to withhold food, health care or agricultural inputs from the state, if people campaigned for the opposition or attended their rallies; bullying rural voters by assuring them their votes were not secret; allegations of certain voters allegedly being allowed to vote multiple times at different polling stations in the same constituency, in particular uniformed individuals<sup>42</sup>.
- Abuse of state run media, including print, radio and TV to push only the message of ZANU PF, in defiance of the law; undermining the freedoms of assembly, movement and expression.
- Criminalizing of the political opposition and ignoring court rulings and the constitution to further party political agendas.
- The state of the voters' roll: there has been opacity around the roll for more than a decade now, and much commentary on the need for it to be updated and regularized. Reports of probably tens of thousands of dead voters – even hundreds of thousands - being on the roll from one election to another, in spite of having been reported as dead to the Registrar General has been a major concern, as it was a possible opening in the voting system for fraud. The opposition MDC parties have systematically been denied print-outs or electronic copies of the voters rolls nationwide, even after court rulings that this should happen, and the reluctance of the state to allow this most basic of transparencies has fueled complaints around abuse of the roll.

During the Global Political Agreement (GPA) or unity government of 2009-2013, the need to even the electoral playing field was a primary objective of the opposition. ZANU PF has also become increasingly aware that if it is to achieve positive judgement of any forthcoming election, and therefore international legitimacy, particularly in the wake of the recent military-driven change of power, there would be a need to deal with at least some of the accusations of electoral shortcomings listed above. The European Union (EU) after 2013 produced a roadmap of outcomes

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<sup>41</sup> Solidarity Peace Trust, Zimbabwe Electoral Support Network, Zimbabwe Lawyers for Human Rights, Zimbabwe Peace Project and many others, including international NGOs such as Human Rights Watch and Amnesty International have all documented the abuses listed below, in particular since 2000.

<sup>42</sup> David Coltart noted this in his constituency during the 2013 elections.

they would expect to be met before re-engaging fully with the Zimbabwean government. The need for a new and transparent voters' roll was agreed to as part of a roadmap to a free and fair election in 2018. The UNDP agreed to facilitate and fund a BVR process.

## Controversies around tenders, equipment and the BVR

However, in February 2017, the Zimbabwean government insisted that it would take over from UNDP all decisions and funding linked to the choosing of a company to provide the BVR equipment.<sup>43</sup> The MDC-T opposition immediately cried foul, claiming that this was the government already attempting to invalidate the 2018 electoral processes, particularly as the vendor chosen would be using Chinese manufactured equipment.<sup>44</sup> A clear statement from the UNDP in March, indicating that they supported the Zimbabwe government's choice of Laxton for this process, did not shift all the suspicions around this tender.<sup>45</sup> The alarm around this development spread to civics, who also issued concerned statements, several months after the UNDP statement.<sup>46</sup> The concerns around the tender continued through 2017, with claims that the Chinese company that was given the tender did not win the process fairly.<sup>47</sup> During 2013, there were accusations that NIKUV, an Israeli company, had helped ZANU PF rig the poll via the voters' roll. While these allegations were never proven, the oppositions' longstanding negative perceptions of lack of access to all processes surrounding the voters roll explains their initial outcry when UNDP was sidelined.

Once the registration process started in October 2017, observers raised various concerns but agreed that the equipment was functional in terms of its ability to register voters: however, the early controversies and outcries may have accounted for some voter registration apathy (see more ahead).

Moreover, controversies arose around how registration data was being centralized during 2017 and these controversies remain to date, in January 2018. The registration process rolled out without the existence of a central server into which all information was being collected. This opened the process to accusations that voters could register in more than one constituency without the system tracking that this was occurring, as all registrations were effectively happening in *cul de sacs*.<sup>48</sup> Zimbabwe Electoral Commission (ZEC) and election experts maintained that the elimination of double registrations would happen in due course, "with back-end software which comprises the central database system plus the automated finger print identification software (AFIS)".<sup>49</sup> To add to the controversies, ZEC eventually selected a USA-based company, IPSIDY, to manage this back end process, once the BVR process was well under way using equipment from the Laxton group. Laxton, which supplied the data capture machinery, has contested this second award, claiming they were not given fair opportunity to tender as the equipment requirements were "manipulated and

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<sup>43</sup> <http://www.mybulawayo.com/bvr-equipment-purchasing-duty-govt-mnangagwa/>.

<sup>44</sup> <https://www.dailynews.co.zw/articles/2017/03/01/zanu-pf-already-rigging-2018-poll-tsvangirai>.

<sup>45</sup> <https://www.dailynews.co.zw/articles/2017/03/30/undp-speaks-out-on-bvr-saga>.

<sup>46</sup> <http://www.radiovop.com/index.php/national-news/15775-zec-must-prove-bvr-tender-process-was-clean-erc.html?print>. Also <http://www.zesn.org.zw/wp-content/uploads/2017/06/ZESN-DID-NOT-BACK-LAXTON-GROUP-LIMITED-IN-BVR-EQUIPMENT-SUPPLY-TENDER-PROCESS.pdf>.

<sup>47</sup> <https://www.thestandard.co.zw/2017/08/13/zec-bvr-tender-raises-stink/>.

<sup>48</sup> <https://www.newsday.co.zw/2017/10/opposition-raise-red-flag-porous-bvr/>.

<sup>49</sup> Ibid.



violated” after the tenders had been submitted.<sup>50</sup> Laxton have appealed to the Administrative Court for intervention: by the end of January 2018, ZEC has maintained its position that IPSIDY should provide the de-duplication hardware and software, “in the urgent public interest”, the court appeal notwithstanding....<sup>51</sup>

Other aspects of how the data is being consolidated were initially flagged by Zimbabwe Election Support Network (ZESN). Registration information is apparently being transported on ‘safe’ USBs from registration points to centralized data collection points. What this exactly entailed and how the USBs are safe from being stolen, duplicated or interfered with was not transparent to ZESN.<sup>52</sup> However, in their update no. 14 on 21 December, ZESN noted that they had been allowed to witness data discs being placed in tamper-proof envelopes in registration centres and that by and large they were happy with the process. However, these ZESN updates have limited reach, and general doubts about the security of BVR data may well remain more generally. Long before BVR began, there was widespread concern that ZANU PF had been systematically biometrically registering their supporters since 2016 and that they were going to surreptitiously slide their database into the ZEC database to ensure that all their voters were registered, regardless of whether they registered via the ZEC BVR process or not.<sup>53</sup> Again, there is no evidence for this, but the lack of general knowledge into how ZEC is amalgamating all its data that is being variously collected from its centres around the country has fueled these concerns.<sup>54</sup>

## Roll-out of BVR nationwide

In September 2017, the BVR began with a preliminary spate of registrations with a limited number of machines, as a training and problem-shooting exercise. The consensus was that ZEC staff were well trained and polite, and were not in any way obstructive during this process. However, long queues and the slow rate at which registration occurred generated some complaints, in particular in the cities, in these initial weeks, with very limited numbers of BVR kits in action. There were early concerns that in opposition strongholds, such as Bulawayo and Harare, there could be manipulation of the process simply by providing not enough machines here, so that frustrated would-be voters dropped out of queues, while by flooding ZANU PF strongholds with registration machines, the final roll could be slanted in favour of these constituencies.<sup>55</sup>

In early October, the main ‘BVR blitz’ began, with a dramatic increase in the number of kits and staff available for the process. 2,697 BVR kits were distributed nationally, through all ten provinces, with 252 kits in Harare and 112 kits in Bulawayo, to be rotated through approximately 700 and 400 centres respectively, over an initial proposed 72 day blitz period.<sup>56</sup> It was stated by ZEC that they would conduct at least a week of voter education ahead of registering voters in any area. Civic

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<sup>50</sup> <http://www.chronicle.co.zw/zimbabwe-electoral-commission-in-bvr-tender-storm/>.

<sup>51</sup> <https://myhararetimes.com/us-firm-gets-zimbabwe-bvr-tender/>.

<sup>52</sup> ZESN BVR Update Number 13.

<sup>53</sup> Interviews, Harare, September 2017. After decades of experience of electoral processes that have been abused, civics are prone to expecting and imagining the worst. There is no evidence that this will happen, but the fears could be dampened if there was more transparency around how data is being consolidated.

<sup>54</sup> TIZ, op cit.

<sup>55</sup> Interviews with civics during late 2017.

<sup>56</sup> Share, Felex: “Zec receives 2600 kits, gears up for voter registration blitz”, *The Chronicle*, 2 October 2017. Also ZEC’s own statistics: Final statistics for Phase 2, accessible through [www.zec.gov.zw](http://www.zec.gov.zw).

groups such as ZESN deployed observers to the 1983 wards around the country to observe the process.

The BVR system registers voters per polling station, meaning that any voter can only vote in the polling station of registration. This is a mechanism in the legislation agreed to by the opposition, to prevent voters voting in multiple polling stations in one constituency, as each name appears only on one polling station-specific roll - and to ensure polling boxes are not moved (and therefore interfered with) ahead of the vote counting period. But this method has other drawbacks: there are only a few hundred individuals on any roll, and as people are voting very locally, it does undermine the anonymity of the vote to some degree in rural areas, where villagers know in advance how their neighbours are likely to vote.<sup>57</sup>

### ***Issuing of ID documents***

The BVR coincided with an attempt by the Registrar General's office to make the issuing of identity documents, essential for BVR, more accessible around the country. This was partially as the result of the political opposition raising concerns about the number of people without these documents, especially youth, which would preclude registration for voting. On 16 October, the Registrar General's Office announced it had issued 287,300 IDs through this outreach<sup>58</sup>, although many complaints still remained that people were facing long-standing obstacles to this, such as the need for a birth record, which prevented them from obtaining IDs. 313,551 birth certificates and 9,820 death certificates were also issued. All these documents play a vital role in citizens proving their rights to be a citizen: a death certificate of a parent can be vital as it shows that parent's citizenship. However, in many rural areas, there was little or no publicity about the mobile units issuing ID documents, and people therefore lost out on the opportunity. This was reported in Insiza and Matobo districts in Matabeleland, as well as elsewhere.

## **Groups disenfranchised**

### ***Diaspora***

The largest and most controversial group of Zimbabweans that have been excluded from registering and voting, are those in the Diaspora. The constitution is clear that ALL Zimbabweans should have the right to vote, and other SADC countries routinely allow their citizens abroad to register and vote through their overseas embassies. However, the government of Zimbabwe has outright refused to consider this option, stating that if Zimbabweans abroad want to vote (apart from government officials abroad), they must come back to Zimbabwe to register and then come back again to vote.<sup>59</sup> The opposition parties claim that ZANU PF is aware that probably the majority of Zimbabweans abroad are disaffected from the political status quo and might be inclined to vote against the ruling party if given the option.

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<sup>57</sup> For example, in 2008, some ZANU PF MPs threatened to beat or kill one person for every vote against ZANU PF at the nearest polling station. <http://solidaritypeacetrust.org/326/desperately-seeking-sanity/>.

<sup>58</sup> Share, Felex: "Mudede warns RG officials against charging fees for IDs", *The Chronicle*, 16 October 2017.

<sup>59</sup> <https://news.pindula.co.zw/2017/07/11/diasporians-want-register-2018-elections-need-come-back-makarau/>

There have been protests and petitions by Diasporans demanding the right to vote during 2017,<sup>60</sup> culminating in a legal challenge lodged with the Constitutional Court by two Zimbabwean lawyers resident in South Africa and one resident in England.<sup>61</sup> The Constitutional Court has agreed to hear the challenge on an urgent basis, considering that the election is imminent, and “the substantive matter will be heard on the 7 February 2018”.<sup>62</sup> This is effectively one day before the end of the ZEC ‘mop-up’, amid commitments by ZEC to finalise the voters roll by the end of February 2018.<sup>63</sup> It will be interesting to see what the Con Court rules, and whether this impacts on timescales for the 2018 elections....



*Zimbabweans protest in Pretoria, June 2017, wanting to vote (Photo NewsDay)*

### ***Aliens and metal ID holders – confusion and lack of awareness***

In terms of the new Constitution of Zimbabwe adopted in 2013, all citizens of the country have a right to register and vote in any election. The terms of who can be a citizen were revised in this constitution: anyone born in Zimbabwe with one parent born in the Southern African Development Community (SADC) area has an inalienable right to citizenship. Previously, those born in Zimbabwe who did not have two Zimbabwean-born parents, did not have a right to citizenship, and were issued with a strange category of ID card, which marked them simultaneously as registered in Zimbabwe, but as an “Alien”. In the last few elections, those holding “Alien” IDs have been unable to vote. It was also stated erroneously in the media that only plastic ID cards, and not the old metal IDs, could be used to register during BVR. ZEC issued two press statements in early September clarifying both that Aliens should get new ID cards and vote, and that metal IDs were a legitimate means of identification.<sup>64</sup>

<sup>60</sup> <https://www.newsday.co.zw/2017/06/diasporans-petition-sa-govt-2018-elections/>

<sup>61</sup> <http://www.zimbabwesituation.com/news/breaking-court-gives-green-light-diaspora-vote/>.

<https://www.dailynews.co.zw/articles/2018/01/18/con-court-to-hear-legal-challenge-to-diaspora-vote>.

<sup>62</sup> <https://www.dailynews.co.zw/articles/2018/01/20/diaspora-vote-ban-hearing-on-feb-7>.

<sup>63</sup> Munjenjema, Sharon: “New voters roll by February: Zec”, in *The Sunday News*, 12-18 November 2018.

<sup>64</sup> <http://kubatana.net/2017/09/02/zec-press-statements-1-metal-ids-2-alien-ids/>.

Changing an 'Alien' status requires a bureaucratic process, which has deterred at least some voters from taking advantage of this change in the regulations. Failure to be able to comply with the bureaucracy also continued to deny many aliens the right to register: ZESN reported that, "at the Mabvuku-Tafara registration centre, an average of 20 people was turned away per day, the majority of whom were elderly aliens without long birth certificates".<sup>65</sup>

In spite of the ZEC press statements, confusion also remained widespread well into the registration process, with many 'Aliens' unaware that they could change their status and vote, or being unable in the time available to get the long birth certificates required for the change in status.<sup>66</sup>

### **Early Problems with BVR process**

The roll-out was not unproblematic: Mudzi South constituency was initially left entirely out of the list of constituencies for BVR, although by early November this was rectified.<sup>67</sup> In other instances, it was noted that some polling stations had been assigned by ZEC to the wrong constituencies. And in Seke, ZEC officials turned up at the primary school to begin registering, to be told by the headmaster that they could not as he did not know anything about the process.<sup>68</sup> However, these were technical 'glitches' that did not create longstanding obstacles for registering.

### ***Proof of residence and affidavits***

More importantly, thousands of complaints across the country began to mount around the issue of **proof of residence**, which is a requirement of BVR. The law allows for multiple forms of proof of residence, including:

- Title deeds
- Utility bills with a person's name on
- Headmen, chiefs and landowner's confirmation that a person resides there
- Hospital bills and clinic cards reflecting the applicant's name and address
- Statements by an applicant's employer/landlord confirming his/her residential address
- *A sworn affidavit confirming address.*

However, in many BVR centres, there was a prevailing belief that only the last form of proof was applicable for lodgers, even while noting that very few registration centres in fact had a ZEC official present who was already a certified commissioner of oaths.<sup>69</sup> This meant that hundreds of would-be registrants were being turned away. The chairperson of ZEC, Judge Rita Makarau, tried to address the situation by stating that all the above forms of proof of residence should be accepted, not only a sworn affidavit for lodgers. Many more officials at the BVR centres were also hurriedly granted the power to commission these affidavits when needed, as were headmen, chiefs, headmasters and others: more than 500 additional commissioners were appointed. However, considering the thousands of registration centres nationwide, it was apparent that not every

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<sup>65</sup> ZESN, *Biometric Voter Registration Update No. 17*, 25 January 2018.

<sup>66</sup> Chakanyuka, Tinomuda: "'Aliens' advised to regularize papers", *Sunday News*, 29 October-4 November 2017. Also personal discussions with "aliens".

<sup>67</sup> Chingarande, Desmond: "ZEC recaptures missing Constituency", *NewsDay*, 9 November 2017.

<sup>68</sup> Mhlanga, Blessed: "ZEC blundering exposed", *NewsDay*, 12 October 2017.

<sup>69</sup> Share, Felix: "Zec rolls out massive voter registration blitz", *The Chronicle*, 10 October 2017.

registration point would have a commissioner of oaths present. The MDC-T and civic groups campaigned for the affidavit requirement to be entirely removed, as it continued to stand in the way of registration for thousands of voters. Furthermore, thousands had been wrongly turned away when in fact they were in compliance with requirements, which did not seem to be clearly understood by all ZEC officials. While this situation improved during the roll-out period, with ZEC officials now apparently aware that there are multiple ways of proving residency, questions remain whether thousands of would-be voters initially turned away have since returned to register, or whether they have given up in disgust.

ZESN also noted that in certain rural districts such as Murehwa South and Rushinga, as well as in Mpopoma in Bulawayo, officials were signing affidavits only along biased, party-political lines, and on condition that those given affidavits proving residency would come back to the official and allow the recording of the bar code on their slip (see more ahead on this).<sup>70</sup>

## **ZEC and Voter education**

ZEC claimed on 7 October that it had begun a nationwide roll out of door to door voter education.<sup>71</sup> However, in our experience in Bulawayo and Matabeleland, this was largely ineffectual, with very few people randomly consulted reporting any exposure to this voter education. This observation was reinforced around the country.<sup>72</sup> The ZEC campaign was simply very poor during the first phase. In Bulawayo, posters were barely to be seen, and did not have essential information on them – such as the very important information that *everyone* needed to re-register: it was quite obvious in Bulawayo that even people who were generally highly politicized were unaware that even if they had voted in every election since 1980, they now had to re-register with BVR. Information about ‘aliens’ and how to prove residency was also simply not widely available. Publishing adverts in the media is a very ineffectual way to reach out to people, the vast majority of whom have no access to print media, or even to radios.

As the registration process has proceeded, mostly by word of mouth, it is clear that millions of Zimbabweans became aware of the BVR: however, precise information about important aspects of registration have remained poorly disseminated. In particular, not enough has been done to decampaign disinformation being peddled by ZANU PF around the anonymity of the process and the abuse of proof of registration slips (see ahead).

## **Civics and Voter Education**

There is a stipulation in the law relating to elections that requires any organization that wants to do voter education to first be registered with ZEC, and ZEC proved to be initially very slow in processing applications from NGOs wanting to be registered. This could take up to four months. The need to be vetted by government before being able to undertake what is surely a basic citizen’s responsibility, namely to pass on essential information to fellow citizens about their rights and how

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<sup>70</sup> ZESN, *BVR Update No. 8*, 1 November 2017.

<sup>71</sup> Tshili, Nqobile: “Zec starts door-to-door voter registration campaign”, *The Chronicle*, 7 October 2017.

<sup>72</sup> Tshili, Nqobile: “Zec didn’t adequately publicise ongoing voter registration blitz”, *The Chronicle*, 12 October 2017. Mananavire, Bridget: “BVR exercise: Zec racing against time... intimidation, poor voter education noted”, *Daily News*, 12-18 November 2017.

to register, also serves to undermine all citizens' access to information. This requirement for only ZEC approved organisations to undertake voter education definitely undermined the reach of such education in the early phases.

However, it is also noted that as BVR has progressed, ZEC has regularly called meetings with registered civic groups, and has been helpful in sharing information. ZEC has also, in these meetings, acknowledged the important role being played by civics in trying to bring voters into the BVR process. Civics rose to the challenge, and can take the credit for ensuring that many more voters came forward to register than would otherwise be the case. This was particularly true in urban centres, and also in some rural areas of Matabeleland North and South. ZESN also did an excellent job in monitoring the process in all wards around the country and producing reports on their findings. Youth organisations encouraged the youth vote by allowing free entry at concerts to those who had a registration slip to show. This latter approach has been criticized in a recent article on the dangers and prevalence of different forms of vote (and voter) buying in Zimbabwe:

Finally, the culture of gift giving for election-related activities is entrenching itself, worse with the recent adoption by civil society groups of the material inducement phenomenon for people to register to vote. The groups which give people perfumes, tickets to music shows and transport to registration centres have also been drawn into the vortex of turnout buying (a variant of the broad vote buying) and have regrettably lost moral high ground to criticise political parties from doing the same practice, instead this has entrenched the voter inducement to the detriment of democratic practice.<sup>73</sup>

The main point of Ncube's article is to detail the ways in which ZANU PF, through allegedly already embedding 2,000 commissars in all the wards of the nation, has laid the groundwork for various coercive ways of winning the vote. The long-standing pattern of abusing government inputs to individuals in rural areas and conflating the ruling party with the government has already been alluded to in this report. The patronage principle works hand in hand with more coercive approaches, and we need to remain vigilant to both. Civics using material incentives to encourage people to register may seem innocuous compared to actual vote buying, but this point is still one that civics should conduct some introspection around: should we offer any kind of experiential or material inducements to get people either to register or vote, or is this not succumbing to behavior we have wished to condemn in others?

## ZANU PF and voter education – and abuses

It was observed that while ZEC was slow to get information out into the field about BVR, ZANU PF was not. In Matabeleland, it was our observation that ZANU PF was highly visible, calling meetings of their supporters to ensure that they had the information to go and register, with the right dates and places to do so. Unfortunately, it was also our observation, and that of others, that ZANU PF was deliberately **misinforming** rural civilians in particular, about BVR. People were routinely told that the new process would include finger-printing and scanning of people's faces, so that there would no longer be any anonymity about the vote: ZANU PF would know whether or not a particular voter had voted for them or not. This was reported to our observers in Lupane and

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<sup>73</sup> Ncube, Batsani: How the 2018 polls will be lost or won, *The Zimbabwe Independent*, 9 February 2018. <https://www.theindependent.co.zw/2018/02/09/2018-polls-will-lost-won/>.



Tsholotsho, while other civic observers reported this widely from Manicaland and the Mashonaland provinces.<sup>74</sup> It was noted by the opposition as early as March 2017 that the BVR process was being wrongly portrayed by ZANU PF as a way of ensuring the vote was not anonymous.<sup>75</sup>

## Collection of barcodes from registered voting slips

It was widely reported, almost immediately that BVR began, that rural voters were being forced to hand over their registration slips so that their barcodes could be recorded on a list by the local headman or ZANU PF official, to further create the impression that voting would not be anonymous this time around.<sup>76</sup> This was often accompanied by threats, both vague and specific, against anyone who voted for the opposition in 2018. ZESN first strongly reported this abuse of registered voting slips in their BVR Update No.6, on 20 October, 2017.<sup>77</sup> They continued to report this abuse in **every** subsequent weekly update report, and there were multiple reports of this abuse in the media. Strangely, for three months the only reaction of the police was to arrest one MDC official in Mashonaland East who 'stole' an exercise book from a ZANU PF official who had been intimidating people by writing down their bar codes in this book!<sup>78</sup>

There was also a report in November in Matabeleland that *Junior police officers were forced to hand over registration slips to seniors*: this was deplored by the opposition, who saw it as very intimidatory.<sup>79</sup>

On 25 January, ZEC issued a statement warning against abuse of voter registration slips, stating that:

*The offences border on voter intimidation, impersonation of ZEC officials and trespassing should the person enter your premises and are in violation of the Electoral Act and Section 156 (c) of the constitution among other things... The voter registration slips remain the property of ZEC and no one has the right to demand them or part of them.*<sup>80</sup>

On 26 January 2018, the Zimbabwe Republic Police (ZRP) stated that it was a "criminal offence for any citizen to coerce another citizen and take down/record their Voter Registration Serial Numbers (from BVR slips), and Voter registration details." All citizens were urged to report any such abuse to their nearest police station, stating that the "long arm of the law will not spare anyone".<sup>81</sup>

***While these statements are commendable, considering that the abuse of voter registration slips was flagged by official observers of the process on 20 October 2017, the question must be asked why it took both ZEC and the ZRP three full months, or almost the entire BVR time period, to issue statements strongly condemning this behavior.***

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<sup>74</sup> Transparency International Zimbabwe: "BVR should improve electoral integrity", *NewsDay*, 25 October 2017.

<sup>75</sup> <https://www.dailynews.co.zw/articles/2017/03/01/zanu-pf-already-rigging-2018-poll-tsvangirai>

<sup>76</sup> Ibid. also Kunambura, Andrew: "BVR abuse concerns escalate", *Daily News*, 4 November 2017.

<sup>77</sup> <http://www.zesn.org.zw/wp-content/uploads/2017/11/BVR-UPDATE-NUMBER-6.pdf>.

<sup>78</sup> <https://www.newsday.co.zw/2017/11/mdc-t-official-bvr-register-theft/>.

<sup>79</sup> Ndlovu, Nqobani: "Junior cops forced to surrender registration slips to bosses", *NewsDay*, 13 November 2017.

<sup>80</sup> ZEC Press Release 24/01/2018.

<sup>81</sup> ZRP: Public Notice: BVR Slips, 26 January 2018.



One could assume that the time-lag around this will have done huge damage in the minds of many: thousands of voters have already been forced to surrender their BVR information and it is doubtful, considering the prevalence of fear in some rural areas of the country, that any formal reports will be made to the police. It is also doubtful, considering the generally poor voter education done over the last few months, especially in rural areas, that many will get to hear about these statements by ZEC and the ZRP.

A ZANU PF district committee member from Matabeleland North reported to us on 29 January that ZANU PF had been instructed to form structures from cell level upwards, whose primary intention was to record serial numbers from BVR registration slips along with ID numbers. This was allegedly ordered by their seniors at the provincial level. They were suddenly told to stop late last week, coinciding with the ZRP and ZEC announcements that this was a crime. The informant said the practice had been very widespread, especially in resettlement areas, and concern was expressed that those in these 'BVR data collection structures' might now be charged and arrested, while they had only been doing what they had been ordered by ZANU PF to do. We await with interest to see whether anyone is now actually arrested for this practice, considering how widespread it has been.

However, two weeks after these strong statements on the sacrosanct nature of the BVR slips, not a single arrest has been reported in the media. Yet the perpetrators are well known to communities. However, the coercive nature of the perpetrators and the vulnerability of people in small, rural communities makes formal complaints and arrests unlikely:

So far there have been no arrests. The reason is very simple - there is no complainant. The reason there is no complainant is that, in classic machine politics, it is happening within a somewhat consensual give and take transactional environment where the rewards of compliance are greater than the costs of defaulting and going "rogue".<sup>82</sup>

If you report your local headman, will you be excluded from the food lists next time rice arrives for distribution?

### **MDC Alliance, Rainbow Coalition and voter education**

Quite simply, there was almost no visibility of the opposition parties calling on their voters to register. In fact, throughout 2017 running up to BVR, as already indicated in this report, there was adverse publicity from opposition parties around the process, with criticism of ZEC and the tender processes, as well as around the timing of BVR. As late as 18 September 2017, the MDC Alliance was threatening protests and litigation against the timing of the BVR roll-out, claiming ZEC was not prepared.<sup>83</sup> This did not prevent BVR from rolling out two weeks later – and in the face of all the outcries, it is easy to understand why opposition voters might be leery of joining the process. It is indeed the role of civics and the opposition to be alert to all possible attempts to subvert the electoral process, considering ZANU PF's shocking track record over the last 37 years. It is only because of these repeated protests, litigations and record keeping of abuses by others that ZANU

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<sup>82</sup> Ncube, Batsani: How the 2018 polls will be lost or won, *The Zimbabwe Independent*, 9 February 2018. <https://www.theindependent.co.zw/2018/02/09/2018-polls-will-lost-won/>.

<sup>83</sup> Mashaya Blessings: "MDC Alliance threatens protests against BVR", *The Daily News*, 18 September 2017.

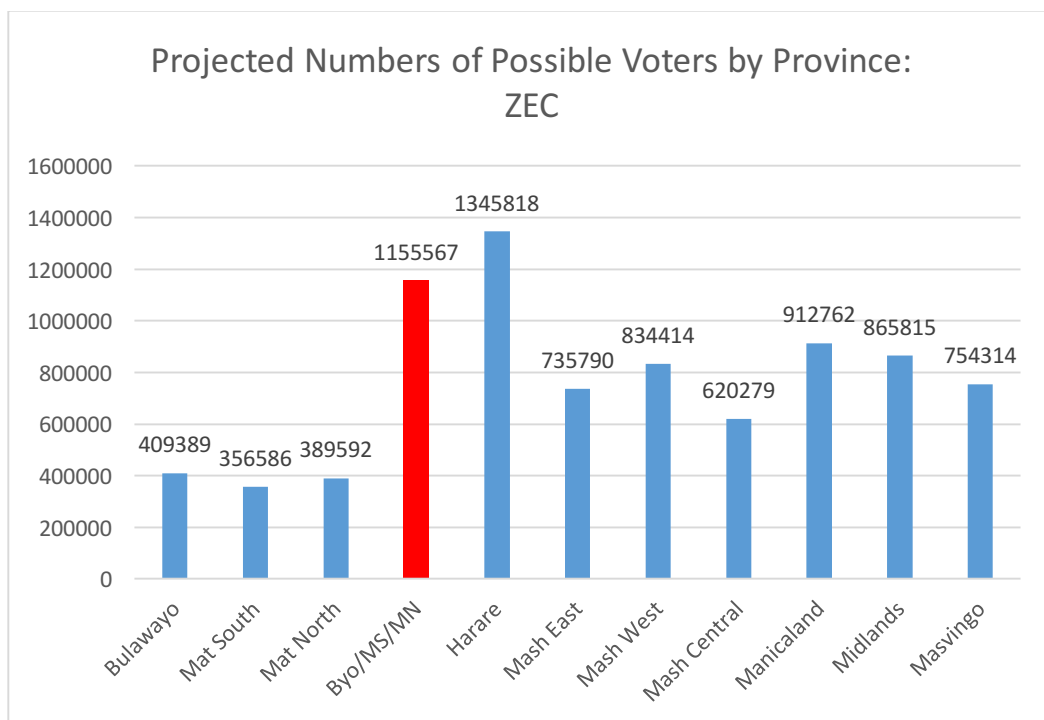
PF has been forced to make any concessions towards better elections in future, including the BVR process. But the downside of the outcries and suspicions that inevitably surround any election-related issue in Zimbabwe is that it feeds into voter apathy, and also makes the opposition reluctant to engage with state-driven processes, even when it may be in their interests. The state of the political opposition, in terms of their fragmentation and infighting, as well as their lack of financial resources, undoubtedly impacted on their ability to do any sizeable campaigns encouraging voter registration.

**Registration apathy: Bulawayo, Matabeleland South, Harare**

ZEC projected a national voter population, based on ZIMSTATS figures, of a possible 7, 224 million voters in Zimbabwe.<sup>84</sup> They reported the voters roll used in the 2013 elections had around 5,8 million voters, with more than 3 million who voted. However, in the early stages of the blitz, voter registration was worryingly slow. Even though registration picked up markedly later in the process, ZEC conceded that it would be ‘impossible’ to reach the initial target of 7 million voters, and downsized this to 5 million – a target that was finally slightly exceeded. This target represented around 70% of those eligible.

Each province has different populations and correspondingly different numbers of expected voters. According to ZEC, based on ZIMSTATS projected figures per province, Graph 1 shows the numbers of voters expected to register by province in the course of BVR.

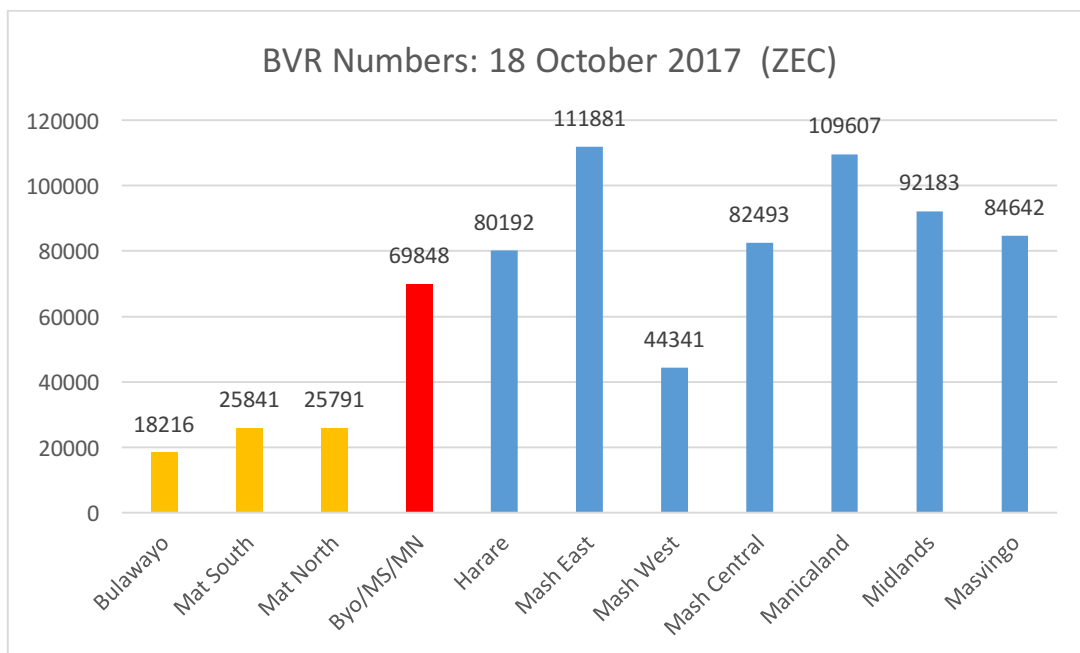
Graph 1



<sup>84</sup> ZEC statistical analyses available on their website. [www.zec.gov.zw](http://www.zec.gov.zw).

In Harare and particularly in Bulawayo, alarm bells rang as early figures for registration here lagged behind other provinces. While the three Matabeleland provinces have the three smallest population bases according to ZIMSTATS, the lag in registration figures exceeded that in other provinces in the early phases of registration in percentage terms. **The fourth column is a sum of the potential voters in the three Matabeleland provinces**, a combined total that is greater than any other single province, apart from Harare. After the first phase of registration had passed the midway mark, the comparative provincial registration figures were as shown in Graph 2 below.

Graph 2



By 18 October, only **4% of Bulawayo voters had registered**, compared to 7% of voters registered in Mashonaland East, or 11% registered in Masvingo. 6% of Harare voters had registered by the same date, also representing a depressed turnout. Civic observers in Bulawayo noted with deep concern that most BVR officials were slouching somnolently over empty desks, waiting for the tiniest trickle of would-be voters to enter their tents looking to register....

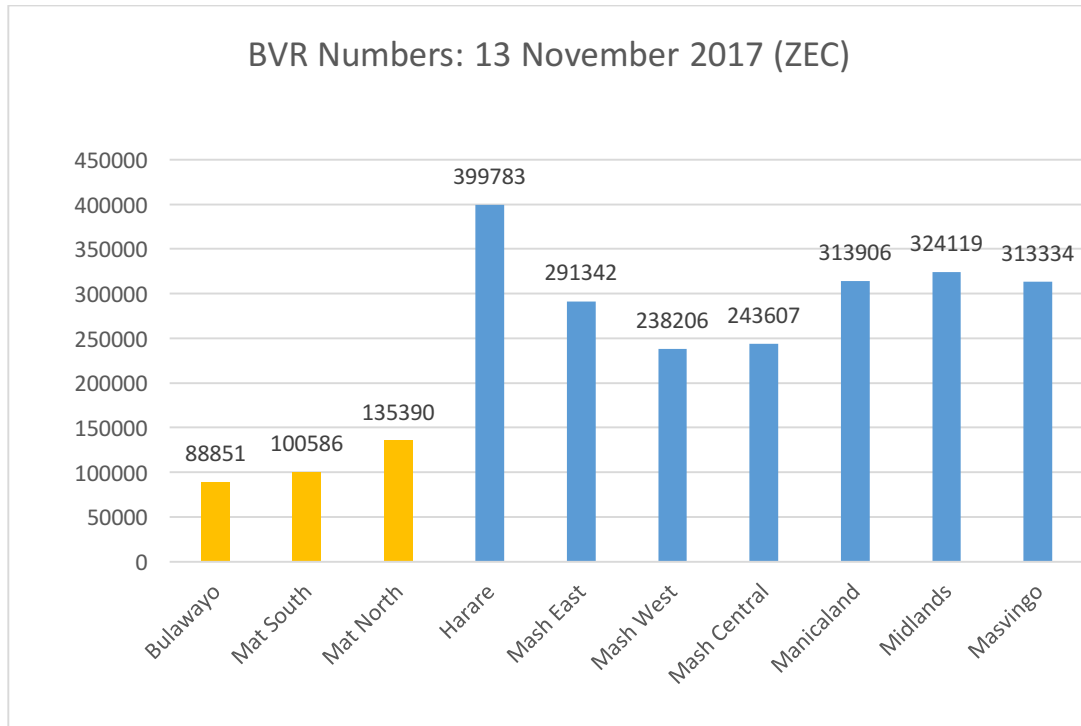
By the end of Phase 2, Bulawayo had dramatically increased its registration, by more than fourfold on Phase 1, to a cumulative total of 21.7% of voters. However, this remained the **lowest percentage registration rate of all provinces**, followed by Matabeleland South with 28.2%, Mashonaland West with 28.5% and Harare with almost 30%. Matabeleland North increased its registration to 34.8%.

Column four shows the BVR figure for the **three Matabeleland provinces combined**, which had **fewer** registered voters than any other **single** province with the exception of Mashonaland West, after the first few weeks of BVR.<sup>85</sup> The Mash West figure was more than double that for Bulawayo, and Bulawayo's figure was below that of the two Matabeleland provinces, both of which have smaller populations. Harare figures were also low, considering that this province has a population

<sup>85</sup> All figures are from: Chikwati, Elita: "Zec records low voter registration", *The Chronicle*, 19 October 2017.

of more than a million: the only lower figure (apart from Matabeleland provinces) was for Mashonaland West.

Graph 3



The second phase of the BVR Blitz ended on 13 November 2017, which was convenient as it was one day before the beginning of the military intervention that led to the removal of Robert Mugabe and the appointment of Emmersen Mnangagwa as president, written about extensively in the previous section by the current authors. This means that it is possible to see if there was any change in the pace of voter registration that might be attributed to this.

### **Causes of apathy: before the military intervention in November 2017**

Alarm bells rang for civic groupings in Bulawayo, who met on various occasions in October and since, to discuss what was contributing to the apathy. The list was long. Bulawayo and Matabeleland generally perceive themselves to be outside the body politic, with little of benefit having accrued to their region since independence. Citizens of these three provinces flocked to vote in 2000, their first chance since the demise of ZAPU in 1987 to show their antipathy towards ZANU PF. In fact, 21 out of 23 parliamentary seats in these three provinces were won by the MDC in 2000, indicating that they were a stronghold that needed to be taken seriously by the MDC. However, these provinces have increasingly felt that their vote and their voice does not influence events in the country and is not adequately considered by opposition parties. Splits in 2005, which saw many Matabeleland MDC heavy weights leaving the party, and new splits since then, have disillusioned people.<sup>86</sup>

<sup>86</sup> These events have been covered in detail elsewhere: see Raftopoulos, Brian: *The Hard Road to Reform*, Weaver Press, Harare, 2012.

## Memories of 2013 divided vote

A divided opposition vote saw dramatic losses for the opposition during the 2013 election, particularly in **both Matabeleland North and South**. Nationally, 17 seats were lost to ZANU PF on a divided opposition vote, 13 of these being in Matabeleland. In Matabeleland South, a total of **8 out of 13 seats** were won by ZANU PF because of a divided opposition vote. Similarly, in Matabeleland North, a united opposition would have won **11 out of 13** seats, instead of which ZANU PF won 7, and control of both provinces. Bulawayo remained solidly opposition-won, but disillusion over the failure of the opposition to learn from this experience of dividing the vote remains prevalent in these three provinces.

## Degeneration and in-fighting in the opposition

During discussions with more than a dozen civic partners, it became clear that when trying to raise interest in registering to vote, civic activists in Bulawayo were told there was no point in registering when there was no opposition in particular to vote for. The following complaints were made about the political opposition.

- There are now more than 70 registered opposition parties: while maybe no more than six could be considered 'serious' parties, even this large number is disheartening.
- There is continual in-fighting within the opposition, and their failure to form one grand coalition in the interests of providing a cohesive option for the 2018 election has disillusioned many possible voters.
- There is no clear understanding of what the oppositions, singly or collectively, actually represent, or what their policies are, particularly since Mnangagwa has usurped much of the neo-liberal economic policy propounded by the MDCs previously.
- The MDC-T that has had support from Bulawayo voters for years, has since 2013 in particular behaved in ways that have made Bulawayo feel marginalized and un-consulted. There have been well-publicised struggles between Thoko Khupe, Vice President of the MDC-T, and the National Executive, over the fact that decisions have been made about the MDC alliance and how seats should be contested in the next election that have excluded consultation with Bulawayo MPs. Another split in the MDC-T could be imminent, or alternatively the expulsion of some Bulawayo and Matabeleland senior party members.<sup>87</sup>
- The fact that Morgan Tsvangirai is very ill makes it hard to believe in him as a presidential candidate and the lack of ability of MDC-T to settle its own succession issues is disheartening. There is furthermore a perception that it is also likely that when/if this is settled, the long-standing Matabeleland Vice President Thoko Khupe will not take over the presidency, because she is Ndebele and a woman – even though she has held the party vice presidency for more than a decade.<sup>88</sup>
- The internecine fights in MDC-T had escalated by 10 February, with serious threats being made against Vice Presidents Khupe and Mudzuri and Secretary General Mwonzora by

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<sup>87</sup> <https://www.newsday.co.zw/2018/01/khupe-faces-mdc-t-expulsion/>

<sup>88</sup> <https://www.theindependent.co.zw/2018/01/12/tsvangirai-succession-mdc-t-faces-implosion/>

those loyal to Vice President Nelson Chamisa, as the succession battle became more and more vicious and destructive.<sup>89</sup>

- There is a deep seated anger with MDC-T for expelling 5 Bulawayo MPs from parliament in 2015, after Tendai Biti and others split away from the MDC-T, over issues of policy and behaviour. Tsvangirai expelled a total of 17 ‘rebel’ MPs and 4 senators from the MDC-T in April 2014. They lost their parliamentary seats at his invocation in March 2015, and the MDC-T then forbade its potential candidates from contesting any by-elections for the constituencies of the expelled MPs, thereby handing these seats to ZANU PF on a silver platter.<sup>90</sup>
  - *Bulawayo opposition supporters had been very proud of the fact that after 2013, they had remained **the only province in Zimbabwe** that had conceded not a single seat to ZANU PF since 2000 – only to have MDC-T hand over almost half of Bulawayo’s constituencies to ZANU PF - 5 out of 12 - without any attempt to contest these.*
- Tendai Biti has made similar gaffes as far as Matabeleland is concerned. After leaving the MDC-T, he and others formed the People’s Democratic Party (PDP), and Gordon Moyo of Bulawayo was the Secretary General. However, in 2017, Moyo resigned from the PDP and crossed the floor to join the Mujuru Rainbow Coalition. This was after he felt that as Secretary General he ought to have been consulted before the PDP joined the MDC alliance, instead of reading about this in the newspaper – once more the marginalization of the opinions of Bulawayo was highlighted.<sup>91</sup>

These above grievances were expressed in Bulawayo by those who have followed party politics keenly. At another level, that of citizens simply going about their daily struggle for existence, the following reservations about bothering to register and vote were expressed.

- This region has consistently voted for the opposition, yet nothing has changed economically, in fact things have become much worse since 2000.
- Politics doesn’t change things on the ground: to go and register, people have to sacrifice their time that could be spent vending or doing something else to put food on the table.
- Acquiring the necessary documents, in particular proof of residency, is too difficult and may require running around trying to get an affidavit signed by a possibly uncooperative landlord and a commissioner of oaths in the first place, and then going to register.
- Distrust in the process of voting is another factor. There has been much publicity over the last decade about the unfairness of the voting system in Zimbabwe. 2017 has been no different in that regard, as previously outlined.

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<sup>89</sup> Magaisa, Alex: “MDC-T – when things fall apart”, Big Saturday Read, 10 February 2018.

<https://www.bigsr.co.uk/single-post/2018/02/10/Big-Saturday-Read-MDC-T---when-things-fall-apart>.

<sup>90</sup> This was on grounds that the electoral playing field was uneven, and reforms were needed to the Electoral Act, but this excuse has been used when it suits MDC-T and ignored when it does not in the last two decades. A similar position of not wanting to contest the first senate election in 2005 led to the first major split in the MDC.

<sup>91</sup> <https://www.newsday.co.zw/2017/09/fissures-rock-pdp-npp-coalition/>

## Youth registration

The failure of youth in particular to register was noted by Bulawayo civics, and this is consistent with the more general alienation of youth in the nation and in the Matabeleland region. There are thousands of young people that now live with divided national loyalties, taking part in what has been called 'circular migration'.<sup>92</sup> In a never ending quest for relevance and work, young people cross the border from the Matabeleland provinces, spending some months in South Africa looking for work, then returning to their rural home, or to Bulawayo, or both alternately, looking for work or to spend time with family. Then the cycle repeats. Some have migrated almost permanently, with regular work in South Africa. Many of these Zimbabweans are now rootless, and feel that people in Zimbabwe, including the government, do not care about them, noting that there are almost no work or training opportunities. They do not feel very 'Zimbabwean'. Some have allegedly acquired South African IDs, either legitimately through marriage, or through previously emigrated family connections.<sup>93</sup> There are youth now in their twenties who have lived almost their entire lives in the current political crisis, which began in the late 1990s.

This large group of disaffected youngsters is not likely to prioritise registering to vote: many have been outside of Zimbabwe during the BVR process, or anticipate not being in the country whenever an election takes place – why register when you may not be present to vote anyway? How do you persuade someone to sign an affidavit for you proving where you reside, when you don't really reside anywhere much, particularly if you need the signature of a rural headman? It is very hard to quantify how many thousands of Zimbabweans might fall into this category, as documented and undocumented figures for Zimbabweans in South Africa are notoriously difficult to ascertain. However, they could be estimated to be considerably more than one million, with many of these from Matabeleland, in particular Matabeleland South, which borders South Africa.<sup>94</sup>

To the extent that youth have registered, it will be interesting to track how they vote in 2018: it is ZANU PF rather than the opposition that have successfully courted a certain youth cadre, with offerings of peri-urban stands as a form of patronage in the context of youth who have very few opportunities.

It was also clear during casual conversations by the authors with Zimbabweans living in South Africa, that they were not aware that the BVR exercise was compulsory for **all** citizens: they were under the impression that because they had registered and voted before, they could return home and vote in any future election, and that BVR was only for those previously unregistered. With the government of Zimbabwe's antipathy to including the Diaspora vote, there was no attempt to publicise the BVR process across the borders. Nor did the political opposition appear to be inclined to make this a priority.

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<sup>92</sup> Potts, Deborah: *Circular Migration in Zimbabwe and Contemporary Sub-Saharan Africa*. Boyden and Brewer, London, 2010.

<sup>93</sup> Personal anecdotes in discussions.

<sup>94</sup> African Centre for Migration Studies in Johannesburg has placed undocumented migrants at around 1,4 million, the majority being Zimbabwean.



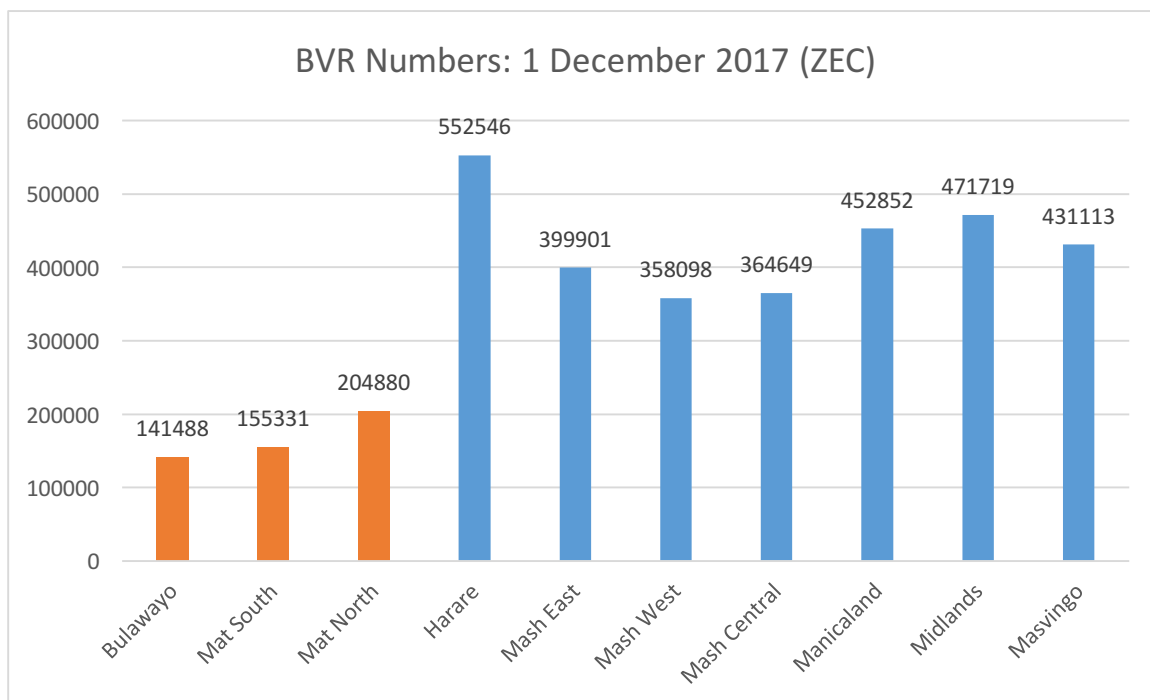
## Registration patterns after the resignation of Robert Mugabe

There was speculation among civics that the change of political leadership in ZANU PF - and therefore in Zimbabwe - facilitated by military intervention, might impact negatively on people's inclination to register for elections: a message had been sent that in the end, it was the army and not the will of the people that was able to get Mugabe out of the presidency after 37 years of unfair elections. What then, was the point in voting?

However, this concern did not prove to be the case in the first instance at least. During the three-week period between the beginning of the coup and the appointment of Cabinet by the newly inaugurated President Mnangagwa, there was widespread talk among the opposition in Zimbabwe of some kind of transitional authority coming into effect that would include the political opposition in Cabinet positions. It was perceived this would be necessary for Mnangagwa to claim national and international legitimacy. However, when Cabinet was announced on 1 December, it was entirely a ZANU PF affair, inclusive of several army generals who had facilitated Mnangagwa's rise to power. But during the time of the talk of an inclusive government, there was a surge of voter registrations reported in Bulawayo. One ZEC official at a central location in Bulawayo informed us that registrations surged from a few a day, to over 100 a day at his site. It appeared that Mugabe finally leaving power had created a sense of change and a sense that perhaps further change could also be possible. People seemed more motivated to take part in any future voting processes.

The figures for BVR at the end of the 3<sup>rd</sup> phase of the Blitz, which coincidentally was on the day after Mnangagwa announced his Cabinet, are shown in Graph 4.

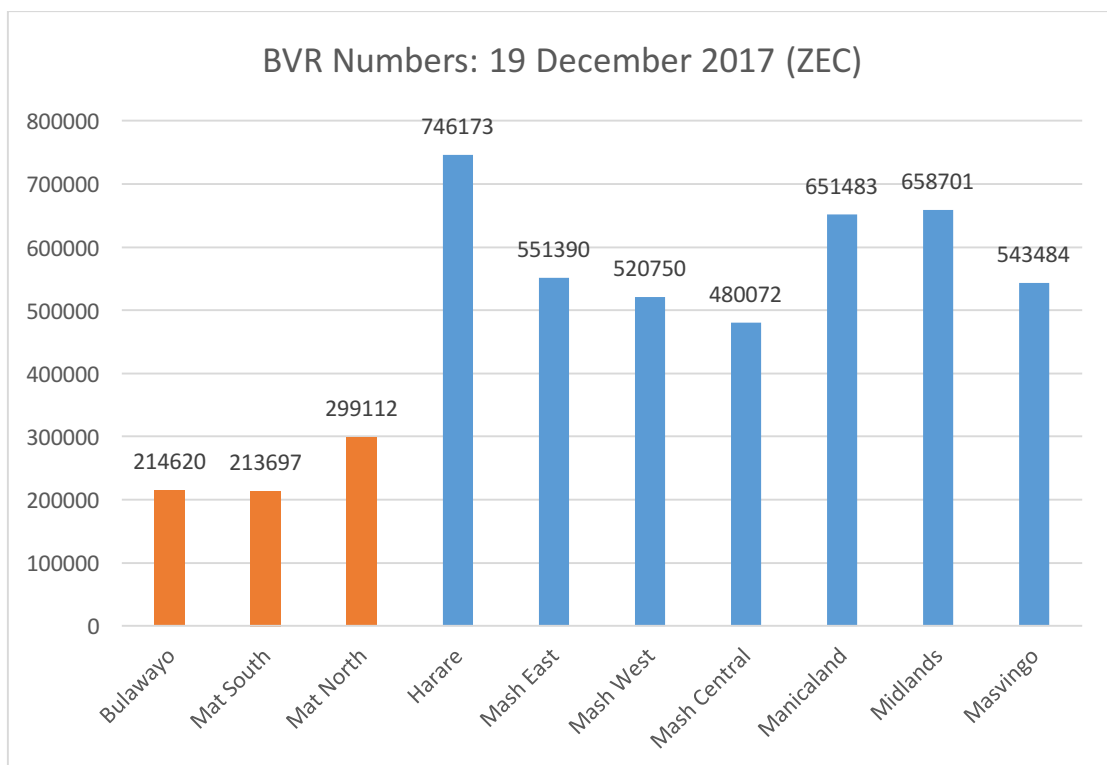
Graph 4



In terms of percentages, these figures showed that Bulawayo was still the lowest, at 34.6% registration. Harare followed at 41.1%, and Matabeleland South at 43.6%. Mashonaland West at 42.9% also remained low.

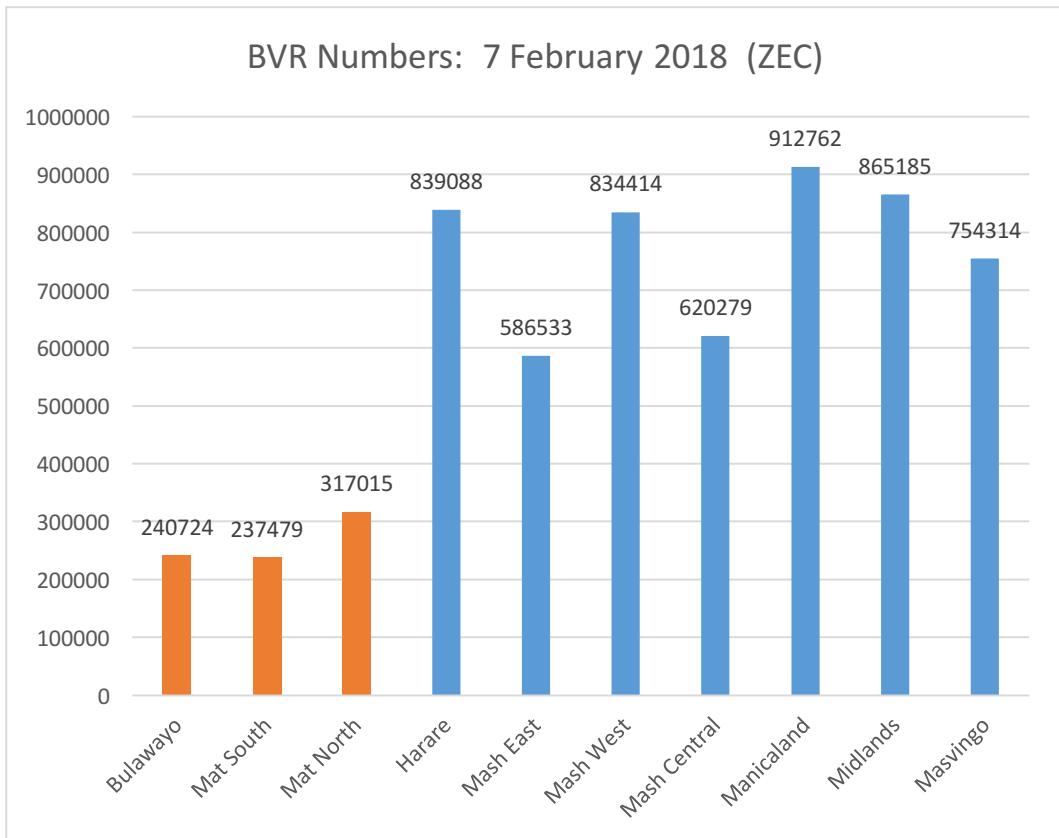
The fourth phase of the Blitz ended on 19 December, and registration figures continued to rise during this time, with figures as shown in the table below. The pattern of lower-than-hoped-for registration in Bulawayo, Matabeleland South and Harare continued. Bulawayo reached 52.4% of anticipated voters registered, with Harare at 55.4% and Matabeleland South at 59.9% - the only three provinces still below 60% registered. Mashonaland Central had the highest percentage registered, at 77.4%, with Mashonaland East, Midlands, Masvingo and Manicaland all having above 70% registered. Matabeleland North also showed a surge in registrations, to 76.8% registration, the second highest after Mashonaland Central. Numerically however, Matabeleland North only had 299,112 registered voters, putting it only slightly ahead of Matabeleland South and Bulawayo. These three provinces remained the only three with less than 300,000 registered voters each.

Graph 5

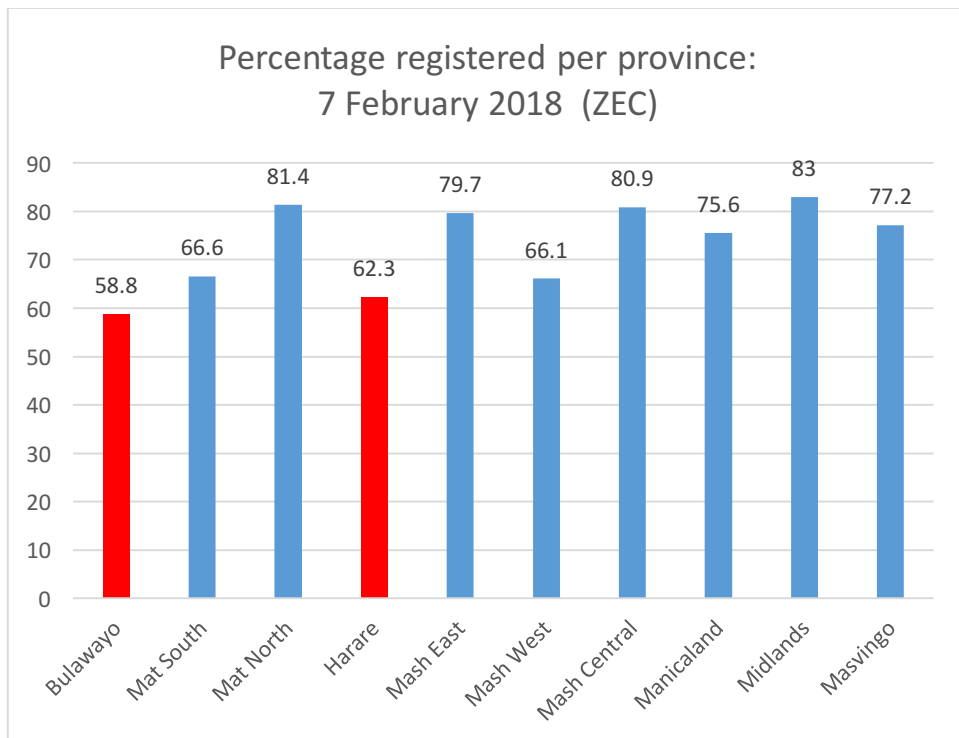


In Bulawayo, the increase by almost 20% in registration in less than three weeks does seem to reflect some increase in enthusiasm for registering there, in keeping with post ‘coup’ observations. Bulawayo also achieved more registered voters than Matabeleland South for the first time, although still behind in percentage terms. There were 73,000 voters registered in Bulawayo during this fourth phase, considerably more than in any other phase of equal length – although still fewer than in any other province during Phase 4.

Graph 6



Graph 7



At the end of the BVR blitz on 8 February 2018, **Bulawayo retained the lowest voter registration, with 58.8% - the only province with less than a 60% registration - followed by Harare with 62.3%.** Matabeleland South and Mashonaland Central were the only other provinces to fail to reach a 70% or more registration turnout. ***The three Matabeleland provinces combined, total fewer than 800,000 registered voters.***

The total registered number, with some outlying centres still to report back to ZEC, was 5,264,674. This is 72.9% of people projected to be of voting age, and represents a very good registration overall, considering the slow start. The registration process has *not* now been closed, but those wishing to register will have to find the district registration point as opposed to being able to register at the ward level.

The three Matabeleland provinces are officially referred to as having around 15% of the population of Zimbabwe, and their total of 800,000 voters out of 5,300,000 indeed represents 15% of the possible vote. Matabeleland's potential vote is, however, largely bolstered by Matabeleland North, which had the second highest registration of 81.4%, which is 22% higher than neighbouring Bulawayo. Even so, Matabeleland North barely achieved 300,000 registered voters – just more than half the next lowest province, Mashonaland West.

The high turnout of people to register in Matabeleland North is anomalous. Politically, it has not shown a different voting pattern to Bulawayo and Matabeleland South in the last 20 – or 37 - years. This deserves further inquiry – one possibility is that the population figures for Matabeleland North have been under-estimated, meaning that the registration numbers, if set against the actual population, would be lower. Our observation on the ground and knowledge of communities in Matabeleland South and North suggests that Matabeleland South and Bulawayo have been more adversely affected by the issue of circular migration, with villagers in Matabeleland North being more strongly rooted to where they are. It was also our observation that ZANU PF was extremely active in mobilizing voters in Matabeleland North, with very visible gatherings promoting registration, and this was less observed by us in Matabeleland South. Certainly, the offence of being forced to surrender BVR codes to the ZANU PF committees set up for this purpose came primarily from Matabeleland North rather than from Matabeleland South.<sup>95</sup> However, these are simply suggestions that require further observations, to provide more insight into why Matabeleland North seems to behave differently to the two adjacent Matabeleland provinces over BVR.

## **Implications of poor registration figures in Bulawayo, Matabeleland South and Harare.**

There are two possible reasons for the low BVR uptake in Bulawayo, Matabeleland South and Harare: apathy, or depopulation. Bulawayo and Matabeleland South in particular are deeply affected by the 'circular migration' referred to earlier, and as the economy has worsened, it is not unlikely that more and more people are being forced to spend at least part of each year abroad looking for income. This is a highly contentious and difficult to resolve issue, with the Bulawayo City Council, for example, arguing fiercely that the city has more than the 750,000 residents counted by

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<sup>95</sup> This was also common in other provinces, but this report is focused on the Matabeleland provinces, where the authors have personal knowledge through personal monitoring.

the most recent population census. As they are the ones providing services, they are in a good position to know, but on the other hand, smaller populations can lead to smaller budgetary allocations of resources....

Some of the repercussions of the lower than expected registration in Bulawayo are already being indicated.

- ZEC stated at a meeting in Bulawayo with registered NGOs on Friday 26<sup>th</sup> January that Bulawayo would be **losing certain polling stations** in the forthcoming election, as there is a minimum number of voters that need to register in the vicinity of any polling station to justify its existence. The minimum number of 300 voters had so far not been reached for all proposed polling stations. At some polling stations, for example in the highly populated Cowdray Park, not even one hundred voters had registered by the beginning of February!
  - What will happen to voters, whether in Bulawayo or elsewhere, who have registered for a polling station that may now be struck off, is not clear. The election is polling station based, meaning voters have to vote where they have registered under BVR to vote, and this is reflected on their voter slips. How will ZEC ensure voters know where to go instead? Advertising in the newspapers will not be sufficient as most people do not access papers. In rural areas, one could anticipate voters walking long distances to get to a polling station that no longer exists, and having no idea what to do next.
- It is not clear yet whether provinces with low registration **stand to lose constituencies** as well, while those with high registration may gain some. It could be that whether before or after the 2018 election, the fact that fewer than 300,000 voters registered in Bulawayo (with final figures for this not yet in) may be used to trim the current 12 constituencies to something less.
  - This would have the impact of further reducing the voice of Matabeleland at the national level, deepening the sense of not being heard and of the votes of the region not counting.

## Conclusion

ZEC on the whole has been seen as competent and cooperative, and has moved to correct areas that were creating problems for would-be voters, such as the problems around proving residency. The unexplained resignation of ZEC Chairperson Rita Makarau after the change in Presidency, and the appointment of Justice Chigumba has raised some concerns from observers. Chigumba was implicated in corruption during 2017 – while she is innocent until proven guilty, it would have been preferable for her to be cleared before assuming this vital position in ZEC.<sup>96</sup>

On the ground, there has been widespread intimidation of voters in some areas as indicated, and it is not clear whether the belated statements on abuse of voter slips by ZEC and the ZRP are a case of shutting the stable door after the horse has bolted, or whether they will reassure voters that have already been bullied and threatened. There remain questions around how data is being centrally consolidated on a weekly basis, and also around which company will compile the final roll, pending an Administrative Court case.

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<sup>96</sup> <https://www.newsday.co.zw/2018/02/chigumba-appointment-zec-raise-questions/>

Zimbabwe has a long pattern of unfree and unfair electoral practice, and many, particularly in typically opposition strongholds, clearly remain to be convinced that the next election is worth registering for. The failure of the opposition to pull together into one grand coalition remains an overriding issue that possibly many in Zimbabwe will live to regret in 2018. All the opposition parties need to take salutary note of the falling registration figures in those provinces that have typically been their stronghold for the last two decades. Particularly where a presidential vote is concerned, this does not bode well. They should bear in mind that one major source of voter apathy is lack of faith in themselves as politicians, and the strong belief among urban voters in particular that there is no opposition worth voting for, and therefore no point in registering. As the shocking and even violent succession fights, splits and personal pitting of egos continues in MDC-T, even as the nation mourns the death of its long-standing President Morgan Tsvangirai, this party and its coalition should remember that their support base is watching and judging their behaviour.<sup>97</sup>

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<sup>97</sup> <https://www.pazimbabwe.com/zimbabwe-45316-douglas-mwonzora-thokozani-khupe-chased-away-from-tsvangirais-funeral-leave-under-police-escort.html>.



*BVR in progress, 2017 (photo, NewsDay)*