UNIVERSITY OF JOHANNESBURG

CIVIL SOCIETY, THE STATE AND DEMOCRACY IN ZIMBABWE, 1988 – 2014: HEGEMONIES, POLARITIES AND FRACTURES

By

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Declaration of originality

I declare that *Civil Society, the State and Democracy in Zimbabwe, 1988 – 2014: Hegemonies, Polarities and Fractures* is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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(Researcher)

Signed: ……   ……   Date…23 July 2018……

ABSTRACT

The post-independence ruling class in Zimbabwe carefully combined coercion and consent to assert its hegemony from the day it assumed state power. It implemented this through making use of both civil society and political society. However, this embryonic hegemony started to rupture around 1988 when some civil society organisations began to assert their autonomy from state control. These are the organisations that became the nucleus of a counter-hegemonic alliance that crystallised in the 1990s. This study interrogates state – civil society relations in Zimbabwe between 1988 and 2014, and how these relations have impacted on democratisation. Many studies have characterised state – civil society relations in Zimbabwe as polarised. This polarisation can be understood within Gramsci's theory of hegemony. One side defined itself around radical-nationalist and redistributionist discourse, while the other emphasised democracy and liberal notions of human rights and good governance. While laying differentiated understandings of democracy, both poles attracted intellectual strata to elaborate on each side's "ideology", which resulted in an orbicular broadening of polarisation. This study utilises this characterisation to interrogate the repertoire of state – society relations, and to make a determination on the value proposition of civil society to democracy. One of the contradictions of this polarised engagement was the peripheralisation of other important national questions as two possibilities became modelled as the only alternatives. Thus, the period between 1988 and 2014 witnessed differentiated engagements between the state and civil society, but all defined either within pro-hegemonic or counter-hegemonic terms, yielding either cooperative or confrontational relations shaped by both the state and civil society. This qualitative study, concludes that the current levels of democracy in Zimbabwe, where the old seems to be dying but the new cannot be born yet, are a reflection of struggles and counter-struggles that have tended to negate each other, in the process choking processes of democratisation. It is the enduring phenomenon of polarisation – where only two possibilities are modelled as the only alternatives – which should to be abrogated for true and inclusive democracy to have a chance in Zimbabwe.

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ACKNOWLEDGEMENTS

ADMINISTRATIVE MAP OF ZIMBABWE

Source: https://www.bing.com/images/administrative+map+of+zimbabwe

LIST OF ACRONYMS

AIPPA	Access to Information and Protection of Privacy Act
ANC	African National Congress
ATUC	African Trade Union Congress
BSAC	British South Africa Company
CCJP	Catholic Commission for Justice and Peace
CFU	Commercial Farmers' Union
COPAC	Constitutional Parliamentary Select Committee
COZITU	Congress of Zimbabwe Trade Unions
CYL	City Youth League
CZC	Crisis in Zimbabwe Coalition
CZI	Confederation of Zimbabwe Industries
EMCOZ	Employers' Confederation of Zimbabwe
ESAP	Economic Structural Adjustment Programme
FROLIZI	Front for the Liberation of Zimbabwe
FTLRP	Fast Track Land Reform Programme
GAPWUZ	General Agriculture and Plantation Workers' Union of Zimbabwe
GNU	Government of National Unity
HGAPWUZ	Horticultural and General Agriculture and Plantation Workers' Union of Zimbabwe
ICU	Industrial Commercial Workers Union
IDAZIM	Institute for Democratic Alternatives for Zimbabwe
LHAR	Lancaster House Agreement Report
LHC	Lancaster House Constitution
LOMA	Law and Order Maintenance Act
LRF	Legal Resources Foundation
MDC	Movement for Democratic Change
MDC-N	Movement for Democratic Change (Ncube)
MDC-T	Movement for Democratic Change (Tsvangirai)
NANGO	National Association of Non-Governmental Organisations
NCA	National Constitutional Assembly

NDP	National Democratic Party
NGOs	Non-Governmental Organisations
NWPC	National Working People's Convention
PF	Patriotic Front
PF-ZAPU	Patriotic Front – Zimbabwe African People's Union
POSA	Public Order and Security Act
PVO Act	Private Voluntary Organisations Act
SADC	Southern African Development Community
SRANC	Southern Rhodesia African National Congress
SRATUC	Southern Rhodesia African Trade Union Congress
SRC	Student Representative Council
TNF	Tripartite Negotiating Forum
USAID	United States Agency for International Development
WOZA	Women Of Zimbabwe Arise
ZANLA	Zimbabwe African National Liberation Army
ZANU	Zimbabwe African National Union
ZANU-PF	Zimbabwe African National Union – Patriotic Front
ZAPU	Zimbabwe African People's Union
ZCC	Zimbabwe Council of Churches
ZCTU	Zimbabwe Congress of Trade Unions
ZESN	Zimbabwe Election Support Network
ZFTU	Zimbabwe Federation of Trade Unions
ZICOSU	Zimbabwe Congress of Students' Union
ZINASU	Zimbabwe National Students' Union
ZIPA	Zimbabwe People's Army
ZIPRA	Zimbabwe People's Revolutionary Army
ZLHR	Zimbabwe Lawyers for Human Rights
ZLP	Zimbabwe Liberators Platform
ZNLWVA	Zimbabwe National Liberation War Veterans Association
ZRP	Zimbabwe Republic Police
ZUM	Zimbabwe Unity Movement

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Introduction

My Master of Arts research examined relations between local communities, non-governmental organisations (NGOs) and local state structures in a rural district in Zimbabwe (Moyo 2013; Moore and Moyo 2018). It was an informative foray, which aroused my interest in a number of areas in political economy. However, that study only seemed to scratch the surface. Studying what was happening in a remote district where even NGO workers chose not to reside showed the precariousness and temporality of not only the life of villagers, but also donor assisted projects. NGOs were there temporarily, and state systems and programmes were collapsing, confirming the precarity of everything. It was clear that deeper issues lay underneath. For example, the NGO sector, which is part of the broader civil society realm, depended entirely on donor funding. What did donors, both local and external, gain from funding these NGOs, especially in instances where government showed a surprising level of disdain for them, as evidenced by the suspension of NGO activities at the whim of a minister?[1] Why did the state enact legislation that made it difficult for non-state actors to operate? Are non-state actors victims of unreasonable state cruelty, or are such organisations complicit in their own suppression? How long should society give NGOs before they start to close their doors permanently, and what alternatives will poor communities have once that time comes? The questions are many.

These questions are raised here to show that relations between the state and the non-state are very complex, it is not only the "powerful" state that shape such relations. Power is always contested, and the source of that power is not monolithic, it can be political, financial, epistemic, coercive or ideological (Najam 2000:389). Thus, forces in civil society should not be assumed to be innocent victims as some human rights reports portray (e.g. ZESN 2008; Zimbabwe Human Rights NGO Forum 2008; Makwerere, Chinzete and Musorowegomo 2012), let alone the only perpetrators of

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[1] In 2008 and 2012, NGO operations were suspended in Zimbabwe because the ruling party said NGOs were being used to campaign for opposition parties (see IRIN 2008; Gonda and Pepukai 2012).

violence as mischievously depicted by the ZRP Report (2007) *Opposition Forces in Zimbabwe: A Trail of Violence.*[2] A thorough understanding of the political environment, viewed from different standpoints is important.

Background, the problem and context of the study

Civil society in Zimbabwe.

There are strong perceptions amongst proponents of democracy that civil society is the "missing key" to sustained political reforms that would lead to democratisation in developing countries (Jonathan Moyo, 1993[3]; Harbeson 1994:1, 2; Lewis, 2002; Magure, 2009; Sachikonye, 1995a). According to these proponents, strengthening civil society will lead to the resolution of democratic deficiency because it affords political plurality and increases participation. But what is civil society? Keane (1988:14) sees civil society as organisations "whose members are engaged primarily in a complex of non-state activities …, who in this way preserve and transform their identity by exercising all sorts of pressures or controls upon the state", as well as many other institutions. These views will be interrogated later, suffice for now to say civil society is an ambiguous concept with roots in the pre-modern age, and has travelled through time and space, in the process adopting different identities. Thus, civil society in Africa is different from civil society in the "West".[4] In fact, McCandless (2012:11) argues that the process of colonialism interrupted the organic development of civil society, and its growth in post-colonial societies is not only shaped by, or responsive to purely indigenous challenges and opportunities, but rather posits hybrid influences of both local and outside interests. Its understanding, usefulness and democratic value,

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[2] The Zimbabwe Human Rights NGO Forum report (2008) is almost a mirror image of the ZRP report (2007). While the later lays the blame on opposition forces, the former blames all the violence entirely on state structures such as the army, prisons, police and quasi-state institutions such as the ZNLWVA.
[3] When Jonathan Moyo penned this article, he was a lecturer at the University of Zimbabwe and was very critical of government and the ruling party. He left the country to work in Kenya, and subsequently in South Africa. In 1999 he was invited to return to Zimbabwe to head the information and publicity department of the government sponsored Constitutional Commission. Upon assuming his new role, Moyo quickly switched his allegiance and became the chief defender of government and ZANU-PF. In 2000 he was appointed the Minister of Information by Mugabe, and has served in different ministerial capacities ever since.
[4] 'West' is generally used as a reference to fully developed capitalist societies mainly located in Europe and North America, juxtaposed with the 'South', a reference to countries mainly in Asia, Latin America, and Africa. The author uses these tags for easy reference and convenience even though aware of contestations relating to the dynamics and differences within these groups.

should be contextualised in terms of where, when and why it is invoked.

In Zimbabwe, civil society organisations are polarised (LeBas 2006, 2011; Ncube 2010; McCandless 2012). Polarisation should be understood as the widening of the political and social gap between players in a contentious process, and the gravitation of previously moderate actors towards one or the other pole (McCandless 2012:20). As a result, political polarisation bifurcates previously complex interactions between multiple political actors into a simple battle between two groups, whereupon an uncritical consensus develops within either of the groups. Resultantly, some civil society organisations in Zimbabwe have developed collegial and cooperative relations with the state, while others have adopted friendly relations with the opposition, with the later group locked in an adversarial engagement with the state and ruling party. There are intellectuals in this polarised environment who are *either* close to the state, with their writings and activities purporting to advance mainly sovereignty, nationalist and re-distributive policies, *or* those close to opposition forces, advancing a narrative of democracy and human rights, referred to as public intellectuals critical of state power by Tendi (2010:43). The origins of this expansive polarisation requires investigation.

The problem, however, is that civil society, most often erroneously spoken of as a homogeneous entity, has been identified as a cure for democratic deficiency. Carothers and Ottaway (in Dorman 2001:28) summarise it thus:

> In the eyes of many donors and recipients, and even of many democratic theorists, the idea that civil society is always a positive force for democracy, indeed even the most important one, is unassailable. An active – "vibrant" is the adjective of choice – civil society is both the force that can hold governments accountable and the base upon which a truly democratic culture can be built. There follows from this assumption the related idea that promoting civil society development is key to democracy building.

Proponents of civil society and democracy in Zimbabwe use this argument consistently. What complicates the discourse is that in the 1980s some sections of civil society (e.g. Zimbabwe Congress of Trade Unions [ZCTU]) were involved, through the post-independence policy of inclusion, in the ruling party's hegemonic building project, which soon turned authoritarian. As Dorman (2001:42) observes, the brutality against political opponents was seen by the ruling party as one element amongst many policy tools useful for "nation-building". In the early 1980s, *some* NGOs, churches and unions contributed willingly in many ways to the ruling party's process of hegemonic construction as will be seen in the next pages. Should civil society then be uncritically

accepted as the "missing key" to unlock democratic deficiency, even though it contributed (maybe unintentionally) to the development of an authoritarian state? Is that trust not misplaced, especially in a polarised civil society environment as in Zimbabwe? This study interrogates these questions, but for now, a brief political history in Zimbabwe is in order.

A Précis of the Political Context

Zimbabwe's political environment has been raucous for a long time. Nationalist parties were formed in the 1950s, and independence was only achieved in 1980. These parties engaged in a ghastly and long military battle with the colonial government, and this in part shaped the kind of politics and the exercise of power post-1980 (see Scarnecchia 2008). During that period, nationalist parties had on and off relationships amongst themselves, first splitting into two in 1963, then to a few more factions a few years later. A number of attempts at uniting them were made, including the 1975 ZIPA Zimbabwe People's Army (ZIPA) moment when military wings of the two liberation parties, Zimbabwe African People's Union (ZAPU) and Zimbabwe African National Union (ZANU) tried, without success, to unify the parties (Moore 1990:175; Doran 2017:47). Other attempts at unity were during the 1976 (Geneva) and the 1979 (Lancaster) Patriotic Front (PF) conferences, which also collapsed. (Mtisi, Nyakudya and Barnes 2009). The first decade of independence was characterised by several years of state-led ethnic atrocities, known as *gukurahundi*, which left thousands of minority Ndebele people dead and possibly hundreds of thousands displaced (CCJP 1997; Ndlovu-Gatsheni 2002; Eppel 2004; Doran 2017). The second decade opened with the introduction of liberal economic structural adjustment policies (ESAP), which also wreaked havoc on poor people's lives as the state's capacity diminished and user fees were introduced for all basic services (Muzondidya 2009).

A few years after the commencement of ESAP, the productive sector began to de-industrialise as companies were forced to downsize or close down. By 1992, about 25,000 workers had lost their jobs, with more than 300,000 school leavers being churned yearly into the job market that could only absorb 10,000 people. By October 1994, 31 per cent of the 280 companies in the textile industry had closed down due to a liberalised market. By 1995, 62 per cent of the population was living below the

Poverty Datum Line, while 38% more were poorer than 1980 figures (Mlambo 2014:216). The mid-1990s period experienced several labour unrests as workers struggled to cope with the rapacious effects of liberalised economic policies (Saunders 2001:153).[5] By the time the decade ended, the socio-economic and political environment had worsened dramatically. Many civil society organisations emerged, hoping to arrest the fast deteriorating situation, mainly without success. By 2000, what was known as the Zimbabwe crisis began (Raftopoulos 2003; 2009; Raftopoulos and Phimister 2004). Chiumbu and Musemwa (2012) summarise this crisis as centred on many issues including confrontation over land and property rights, contestation over the history and meanings of nationalism and citizenship, the emergence of critical civil society, human rights and constitutional questions. The structuring of the state in more authoritarian forms, the central role of Robert Mugabe as leader of the country, and the broader pan-African and anti-imperialist meanings of struggles in Zimbabwe also defined the crisis. Over time, this diverse array of complex questions narrowed to become a contest between the ruling party and a "monolithic" opposition, in the process collapsing into the polarisation phenomenon that hollows the middle.

Sachikonye's *When a State Turns on its Citizens* frames the violence that characterised politics from 2000 to 2008 as a scramble for resources (2011a:28). This scramble mainly involved the redistribution and coercive accumulation of land, a process that was accompanied by massive violence. As Sachikonye's title suggests, relations between the state and some sections of society became acrimonious, leading many politicised actors to conclude that the best method to confront state tyranny was to create another centre of political power.

On 11 September 1999, a relatively strong political party, the Movement for Democratic Change (MDC), was formed by an amalgamation of civil society organisations. In its first election in 2000, this new party won nearly half the contested parliamentary seats, signalling a shift in the ruling party's hegemony – and a growing counter-hegemony. Hegemony is a Gramscian concept referring to ideological and cultural leadership that combines force and consent – without force dominating over consent (Gramsci 1971:80). Characteristic of a declining hegemony, the years between 2000 and 2008 developed into a repressive authoritarian context in which state sanctioned violence was a major instrument of containing dissent (Sachikonye

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[5] The effects of ESAP will be discussed in detail in Chapters 5 and 6.

2012:xiv). The entire crisis period harboured five elections and two referenda.[6] It was a very violent period, with part of the violence meant to manipulate electoral processes. Both by design and default, civil society organisations were drawn into these political contestations and began to partake in hard politics.

Just after the March 2005 elections, the government launched a clean-up operation commonly known as "Operation *murambatsvina"* (Vambe 2008:1), when more than 700,000 urban residents were displaced or lost their livelihoods, and 2,1 million indirectly affected as their informal houses and businesses were bulldozed by the state under the pretext of cleaning up the cities (Tibaijuka 2005:7,33,51). This, together with the state sponsored violence that characterised the take-over of white owned farms in early 2000s, and the 2008 electoral violence during the March to July "inter-election period" (Masunungure 2009:86), defined the ruling party's efforts at re-establishing a hegemony, inclined more towards coercion than consent (Moore 2008a:25). It is within this eventful and fluid political context that this study is conducted.

Central Assumptions and Rationale of the study.

How does one begin to understand the nature of the world that social scientists study? Corbin and Strauss (2008:6) provide a way around this vexing question:

> We are confronting a universe marked by tremendous fluidity: it won't and can't stand still. It is a universe where fragmentation, splitting, and disappearance are the mirror images of appearance, emergence and coalescence. This universe is where nothing is strictly determined. Its phenomena should be determinable via naturalistic analysis, including the phenomena of men [and women] participating in the construction of the structures of their lives.

In order for one to be able to study society, Corbin and Strauss suggest identifying a set of assumptions that underlie the context being examined. Thus, every research project hangs on a set of assumptions established by preceding studies, and also becomes a cog for future assumptions. For example, in Zimbabwe, the ruling party, opposition parties and aligned civil society organisations have professed belief in democracy and its principles. Therefore it can be reasonably assumed that being democratic is an ideal almost everyone in the country is aspiring towards. What differs, it seems, is the depth of, and methodology to follow in order to achieve democracy.

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[6] This study analyses the period from 1988 to 2014, and therefore events beyond 2014 will not be covered. However, at the time of writing, 2017, the crisis had not abated, and new dimensions to the crisis could be discerned. This will be left for future studies

This study postulates that the polarised relations described earlier are inextricably linked to the interpretation of democracy, and competition for hegemony. The ruling party, having enjoyed some legitimacy between 1980 and 1988, especially in areas not affected by *gukurahundi*, began to face resistance from previously pliant civil society organisations towards the close of that decade. Several reasons can be advanced for this collapse in relations, not least among them being the ruling party's fascination with the idea of a one party-state, and corruption that was increasingly manifesting itself in the post-independence government. Ineffective economic policies adopted by the ruling party from 1990 also played a role in chipping away the ruling party's inchoate hegemony. All these combined to result in economic crises that forced counter-hegemonic forces to coalesce in an attempt to offer a better ideological and political option.

The period from 1997 witnessed the sprouting of many civil society organisations in Zimbabwe, most of them professing to represent a democratisation agenda. These new organisations, together with the ZCTU and university students became the central cog for the counter-hegemonic project that emerged, partly as a direct response to the authoritarian leadership style that the ruling party was exercising (Sachikonye 2009:5). The liberal notion of an independent civil society, detached from the state, informed activities of this expanding sector. However, during the later part of the 1990s, civil society's autonomy and political neutrality became compromised when an opposition party, the MDC, was formed by organisations such as the ZCTU, Zimbabwe National Student's Union (ZINASU) and the National Constitutional Assembly (NCA) in 1999.[7] In 1999 and early 2000, the NCA, ZCTU, ZINASU and MDC collaborated to campaign for the rejection of a state sponsored draft constitution at a referendum held in February 2000. Their campaign succeeded as voters voted against the draft's adoption. During the same period, civic organisations such as the Zimbabwe Liberation War Collaborators Association (ZILIWACO) and Zimbabwe National Liberation War Veterans Association (ZNLWVA) allied with ZANU-PF to promote the draft. Thus, this referendum together with other events such as Operation *Murambatsvina* in 2005 and the 2008 inter-election violence, hardened the polarisation of the civil society arena in the country. However, from 2009, a government of national unity (GNU) was instituted and it persisted for just over four years. During that period,

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[7] The formation of these organisations will be discussed in the following chapters.

previously collegial relations amongst social organisations came under pressure as the sector experienced high levels of identity confusion since over the years many organisations had developed close relations with the MDC, which was now part of government. How were they (civil society organisations) going to relate with the new government? For some, the confusion was resolved by fracturing into smaller organisations. What effect did this have on the polarisation phenomenon? And how was the quest for democratisation affected by this fracturing? These questions constitute part of this study.

Aims and objectives of the study

The period from 1997 to 2000 was defined by redistributionist matters combined, often contradictorily, with constitutional and human rights ones. This produced a bifurcated convergence of liberal-political and radical-political economic discourses. These discourses served to perpetuate and crystallise the polarisation dialectic as redistributionist politics quickly blended with ruling party policies to challenge the once social democratic, but increasingly liberal discourses advanced by the emergent civil society. This is the basis of the state – civil society relations that ensued between 1997 and 2008. The present study looks broadly at the relations that existed between the state and civil society before 1980 as a background, and then critically examines these relations from 1988 up to 2014, the cut-off date for this study.

Besides trying to understand the genesis of polarisation, the thesis will also focus on ascertaining what ideological, material and social conditions nourished this polarisation, and what effects it had on the democratisation agenda. The starting premise is that this polarisation should be understood within the framework of hegemonic contestations. Therefore, the study makes use of Gramsci's interrelated concepts of civil society, hegemony (and counter-hegemony) and organic intellectuals to interrogate how the interaction between the state and civil society has contributed to the polarisation and fracturing of civil society arena in Zimbabwe, and in turn, how this polarisation has affected the democratisation process. This aim will be realised by pursuing the following objectives:

    a. Interrogating the relationships between civil society and the state, by answering

the following questions:

    i.   How do pro-hegemonic and counter-hegemonic civil society actors relate, and how do both relate with the state?

    ii.   What ideologies, if any inform these two blocs of civil society?

    iii.   What relations have developed between major political parties and different organisations in civil society?

    iv.   How have these engagements, together with material support from donors contributed to, and nourished the phenomenon of polarisation?

b. Analysing the role of "organic intellectuals" in the polarisation of civil society.

c. Interrogating the phenomenon of civil society fractionalisation.

d. Examining how all these issues have contributed to the state of democracy in Zimbabwe.

Scope of the study.

This study, even though bearing some historical sections for contextualisation and solidity, analyses state – civil society relations in detail between 1988 and 2014. The year 1988 was chosen for two related reasons. Firstly, the National Unity Accord between ZANU-PF and the then official opposition, PF-ZAPU was signed in December 1987 after the violent *gukurahundi* conflict that led to deaths of thousands of members of the Ndebele ethnic group. The agreement resulted in the extermination of the only serious opposition party, which since independence, had occupied a counter-position to that of ZANU-PF. Its extermination was interpreted as the dawn of a united Zimbabwe as two ethnically nourished parties decided to bury their differences and become one party (Jonathan Moyo 1991). Secondly, it was in 1988-9 that the ZCTU and university students, later organised under the newly formed ZINASU in 1989, began to assert their independence and autonomy from the control of the state. These two organisations went on to define the trajectory of civic organisation in the country. The end of 2014 is the cut-off date for this study solely because it is when the study's proposal was developed.

    The nature of the above objectives suggest an identification of specific organisations that anchor the polarisation debate and, therefore, must be the main part of the study. Such an identification is possible because a few writers have written

about, and identified some organisations active in this polarisation phenomenon (e.g. McCandless 2012, Ncube 2010). This study only expands on that existing list, and is biased exclusively towards organisations oriented towards politics and human rights issues than social service provision. Organisations of interest that have worked cooperatively with ZANU-PF and the state are Zimbabwe Congress of Students' Union (ZICOSU), Zimbabwe Federation of Trade Unions (ZFTU) and the Zimbabwe National Liberation War Veterans Association (ZNLWVA). Those that shared confrontational relations with the state, while working closely with opposition parties are the ZCTU, ZINASU, NCA, Zimbabwe Liberators' Platform (ZLP), and the Crisis in Zimbabwe Coalition (CZC). Some of these organisations are coalitions, with institutional members. Such coalitions will not be disaggregated. Other organisations not mentioned here may be referred to in the study, but only to the extent of emphasising a point.

Research Methodology

Methodological approaches, Design and Sampling

This is a qualitative and interpretive research project designed as an empirical case study because of its bias towards specific organisations in civil society as identified earlier. There are several characteristics of qualitative research that allures researchers who end up adopting it (Hatch 2002:6-11). Most attractive to this researcher was its reliance on natural settings that are not manipulated, where human behaviours are explored within the context of their occurrence. Questions such as: "What is happening here?" and "what do these happenings mean to people engaged in them?" were answered with context in mind (Hatch 2002:7).

What was also pertinent for this study, and was infused in the methodology, is the notion of class and domination. Domination is exercised by ruling classes and is aimed at the construction of a hegemony. It has many dimensions and manifestations within the state and civil society as will be discussed in this study. Thus, ideas of hegemony and domination have been organising principles for all the research processes the study engaged with, and therefore have shaped the kind of questions that were asked, the texts consulted as well as the analytical framework used. The principal aim at every stage of the study was to understand how statements, policies or actions by the state

and civil society related to efforts by dominant groups to maintain a hegemony or to develop its alternative. The utilisation of the critical theory approach in data collection and analysis was a way to remain true to this aim as will be explained later in this chapter.

Sampling.

This study, being qualitative, preferred purposive sampling because such an approach facilitated a detailed and in-depth analysis of the phenomena under study. Purposive sampling was complemented by snowballing, which was made easy by the integrated yet polarised nature of civil society in Zimbabwe. The phenomenon of polarisation, even though with a national reach, was very apparent in specific sectors of civil society. Thus, this study predetermined specific cases within civil society that had been identified by other studies (e.g. LeBas 2006; Ncube 2010; McCandless 2012) as main players in the polarisation phenomenon. This list, slightly expanded, constituted the purposively sampled cases from a population of all civil society organisations in the country. A total of 46 interviews were conducted. Only four of the interviewees were female, two being from state institutions and the other two from civil society organisations. This shows the extent of how male dominated the human rights sector is in Zimbabwe. Only a few organisations are led by women.

On average, each interview was between fifty and sixty minutes long. The breakdown of the interviewees is shown in **Table 1** below. Some of the interviewees were involved with two or more of the targeted organisations, or had been involved with several of these organisation between 1997 and 2014. This will explain, for example, the high figure (13) of ZINASU respondents. Many former student leaders went on to take leadership positions in organisations such as CZC and NCA, or to be involved with political parties such as the MDC-T. When such participants were interviewed, the historical thread was maintained as questions were asked about other organisations they were or had been involved with since 1988.

During fieldwork, some interviewees had formed new political parties, having abandoned those with which they were involved for the bulk of the period under review. In such cases, a greater part of the interview would have related to their previous parties. Thus, interviews with people such as Dumiso Dabengwa, Tendai Biti, Jabulani

Sibanda and Gordon Moyo dwelled more on their previous parties than those they were with at the time of the interview, even though reasons leading to their breakaway were interrogated.

Table 1: Breakdown of research interviews

Organisation	No.	Political Party	No.	Academic	No.	State Institutions	No.
CZC	6	ZANU-PF	3	Academia	7	Parliament	1
NCA	6	MDC-N	2			MPSLSW[8]	1
ZNLWVA	2	MDC-T[9]	6			Registrar of Deeds	1
ZLP	1					Dept. of Labour	1
ZINASU	13[10]						
ZICOSU	2						
ZCTU	4						
ZFTU	1						

Data Collection Methods and Processes

The study proceeded through review and exploration of primary, secondary and scholarly literature on polarisation of civil society space and the quest to maintain or to counter existing hegemony in Zimbabwe. Because a social world is complex and non-linear, it defies explanation through simple observation. Daily human interactions give rise to relations of power, domination, exploitation as well as resistance. These were important themes for this study because they show how social groups contest the hegemonic terrain. Formal fieldwork began in July 2015, and ended in December the same year. However, other interviews were conducted outside this period. The political environment was relatively stable considering what had happened before the institutionalisation of the government of national unity in 2009, which will be discussed

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[8] MPSLSW is Ministry of Public Service, Labour and Social Welfare. The department of Labour falls under this ministry but on the table it is cited separately because of the role which it plays with labour unions.

[9] The MDC formed in 1999 split-up in 2005. The two factions that emerged from the split were MDC-T, led by Morgan Tsvangirai and MDC led initially by Arthur Mutambara, and later by Welshman Ncube. To make distinction in the study, where reference is to either of them, I will use either MDC-T or MDC-N. However, if I am referring to opposition as represented by this party, I will simply use MDC.

[10] This figure might look absurdly high, but this can be explained by that most ZINASU members went on to work for other civil society organissations post their tertiary years. Thus, when I interviewed them, I asked questions relating to both their ZINASU years as well as their current occupations.

later in the study.

During fieldwork, I worked as a volunteer at the National Association of Non-Governmental Organisations (NANGO), an umbrella body of non-governmental and civil society organisations in Zimbabwe. On the third day after assuming work at NANGO, I was called and told that there were gentlemen looking for me at the reception. I was amazed because at that time I did not expect anyone, aside from those close to me, to be aware of my presence in Harare, and certainly not at NANGO's new headquarters. At the reception, I found four strangers who enquired if I was the owner of the foreign registered vehicle that was parked in the yard. After answering to the affirmative, I was then invited to go outside, and the four gentlemen flashed their police detectives' cards, and interrogated me about the ownership of the vehicle, my papers and purpose of being in Harare. After answering the questions, presumably to their satisfaction, the gentlemen thanked me and left. I had no clue how the police knew about my presence, nor the intention of their visit, and this was unsettling. Beyond that, data collection went smoothly. Working at NANGO helped me to access and gain the trust of many civil society actors, who were willing to share their experiences for the purposes of knowledge production. Multiple data collection strategies were used including detailed semi-structured interviews, observation and documents analysis, as detailed below.

Semi-structured interviewees.

To determine the battles for hegemony in Zimbabwe, interviews were conducted with leaders and members of purposively selected civil society organisations, academia, some state institutions and members of each of the three main political parties (ZANU-PF, MDC-M and MDC-T). I must state at this stage that difficulties were encountered in securing relevant party representatives from ZANU-PF. I went to the party headquarters and delivered a formal letter of request to interview members of the information department or any designated officials. Promises were made that the letter would be delivered to Simon Khaya Moyo, their Secretary for Information. Several trips to the party offices yielded no results. I was later told that relevant people were very busy preparing for the soon to start party conference and had no time for "irrelevant

studies".[11] However, I managed to secure one provincial executive member who is also a war veteran, and two former ZANU-PF members who held influential positions during their time at the party. I also obtained from the Ministry of Information a booklet with a collection of Robert Mugabe's speeches to ZANU-PF's central committee, politburo, and other party gatherings such as funerals. This, together with information gleaned from newspapers and other literature, gave an insight into ZANU-PF politics and its position on issues under interrogation. For the ZLP, only one interviewee was secured, mainly because the organisation was no longer operational due to lack of funding. More information about ZLP, however, was obtained from coalitions such as the CZC where the ZLP was a member, and from literature such as Mhanda's (2011) autobiography.

Most of the interviewees were not known to the researcher, and access was mainly through snowballing. Since I was attached as a volunteer at NANGO for five months, this helped in facilitating access to people who were interviewed. The political environment in Zimbabwe is such that strangers are not trusted, and until one's background and that which s/he claims is ascertained or vouched for by a trusted colleague, such individuals will be suspected to be state spies. This concern was also raised by former PhD researchers such as Magure (2009), Ncube (2010), and Hartnack (2015).

Interviews were also conducted with a representative of parliament, a representative of the MPSLSW, another from the department of labour and another from the Deeds Registry Office.

Different interview tools were developed depending on who was being interviewed, and what influence they had in the running of the organisation. The bulk of the questions were designed to understand the hegemonic or counter-hegemonic relationships. Some of the interview questions included the following: What are/were the objectives of your organisation? Describe your organisation's relationship with the state and its institutions. What is your organisation's ideology and how do you think it mobilises people?[12] Where informants consented, interviews were recorded using a voice recorder and self-transcribed manually. I decided against making use of other transcribers because self-transcription afforded me the opportunity to engage

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[11] These were the words used by one of the office clerks to whom the researcher had been referred while tracking the availability of anyone from the party to answer the researcher's questions.
[12] A full set of the interview instruments is included in this thesis as Appendix A

intimately with the data that was recorded, and this assisted in data analysis. Several interviewees indicated that they do not mind having their names quoted, and thus in such instances, their names are disclosed. Identities of the rest of the interviewees are treated as confidential, and their views are referenced in a system that does not give away who they are.

Observation

The researcher is Zimbabwean, and is an engaged follower of political developments in Zimbabwe. Besides reading current literature and news on Zimbabwean politics, I have also done research on NGOs in Zimbabwe. But to facilitate deeper observation, during fieldwork, I became a participant observer when I volunteered at NANGO. The attachment provided an opportunity to observe the sector in action. I organised and went to workshops and seminars as part of the NANGO staff, mingled with other players in the sector and those from the state. NANGO is one of the few big civil society organisations respected by the state. State agencies consulted and engaged NANGO if they wanted to involve civil society in any state – societal activity. One of such activities was the launch of the "Domestication of African Union's Agenda 2063" programme where NANGO was a key player representing civil society in the domestication process. Together with the Chief Executive Officer of NANGO, I was involved in drafting a position paper on civil society's potential role in Agenda 2063. Another observation opportunity was a bilateral conference between parliament and civil society on participatory budget-making, and I was part of the organising team. **Figure 1** is a picture taken at a Budget Policy Conference.[13]

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[13] See event programme in Appendix 4

Figure 1 Budget dialogue seminar.

Civil society and parliamentarians at Holiday Inn, Harare. 21 October, 2015. (Photographed by researcher NANGO banner on the far left top corner).

It was at such engagements that contacts were established and interviews organised once potential interviewees began to trust the researcher. The observation process continued beyond the fieldwork period.

Documentation/Literature review

To tie up with the process of interviewing and observation, extensive review of literature from a number of disciplines and sub-disciplines such as history, political science, economics, anthropology, sociology, psychology and international relations was done before and during the entire period of the research. This was complimented by articles, reports, and position papers from civil society organisations. Academic articles written by academicians and organic intellectuals were also reviewed. All these readings were conducted within a framework of analysing relations, establishing hegemonic tendencies and understanding interpretations of democracy. In order to ensure the collection of relevant data, and to fill gaps, analysis was allowed to creep in during the data collection phase.

Data Analysis and Interpretation

In a research based on selecting, cleaning, sifting through, coding and organising data, it is easy for one to embark on a self-fulfilling quest of using science and method to give credence to pre-formed ideas (Kelly, 2006:373). In order to guard against this bias and dialogical imbalances, critical theory became important during collection and analysis of data as it helped to go beyond simply capturing interactions, to understanding motivations for the relations that developed. This is why the dynamics of hegemony needed to be infused into all stages of data collection and processing. Kincheloe and McLaren (2000:279) explain critical social theory as a methodology concerned in particular with issues of power and justice and ways by which the economy, class, ideologies, discourses, education and other social and cultural dynamics interact to construct a system. Critical theory, which can be traced back to Karl Marx in the 19th century, insists on science becoming an emancipatory and transformative force in society. Critical research is central to Gramsci's concept of hegemony because it helps to clarify complex ways by which domination is achieved (Kincheloe and McLaren, 2000:283). For this study, the method was operationalised by constantly pausing critical questions linked to Gramsci's notion of hegemony throughout stages of data collection and analysis. This also entailed interrogating historical and social dynamics that led to social polarisation, moving back and forth to study parts in relation to the whole and the whole in relation to its parts.

This study used interpretive thematic data analysis to analyse collected data. The usage of interpretive data analysis provides a thorough description of processes, transactions, characteristics and contexts that contribute to the phenomenon being researched (Durrheim and Kelly 2006:321). By its nature, interpretive analysis moves back and forth; between the strange and the familiar; part and whole; as well as between foreground and background. Thus, repetitions may manifest at some stages of the analysis, but this is to be expected because the intention is to emerge with a convincing interpretation close enough to the context such that "people familiar with the context would recognise it as true, but far away enough so that it would help them to see the phenomenon in a new perspective" (Terre Blanche, Durrheim & Kelly 2006:322). This back and forth process allowed ideas and categories to emerge from the data rather than placing pre-existing frameworks on the data.

After data was collected, I immersed myself into the data through working with the

texts, field notes and transcripts. This involved reading through the data many times, applying the principles of critical theory, making notes, drawing diagrams and mind maps to make connections. After the process of immersion, themes were developed methodically, and these were based on both the interview objectives as well as common threads that emerged from the data. Once themes were identified, all data was put on Microsoft word, and coded by assigning different colours to specific themes. The paragraphs that belonged to more than one theme were copied and highlighted in different relevant colours. The next step was to cut and paste together all the coded paragraphs that belonged to the same theme. This grouped data was further assigned to different clusters, which allowed the researcher to paste all related events and information close to each other. This enabled elaboration as close exploration of themes produced sub-issues and sub-themes. This was followed by a realignment of the coded data, and some themes and sub-themes were swopped around until I was satisfied that no new significant insights would appear beyond that which had already been gathered. At this point interpretation began as data was compared, expanded on or discarded. Some of the themes were used as subheadings of the written accounts of the phenomenon that was being investigated. After interpretation, the principles of critical theory became useful again when written paragraphs were checked for instances of contradictions, and where trivial data had been over-interpreted. After interpretation and checking, what was left was to proceed to identify the study's findings.

Research triangulation, validity and reliability

The use of several data collection techniques detailed above, and reading countless books, articles and civil society policy papers enabled data triangulation, which entails collecting material in as many different ways and from diverse sources in order to crosscheck the veracity of gathered information (Kelly 2006:287). Chapter 2 interrogates important concepts for this study. As these concepts are being defined, their abstract theoretical definitions provide boundaries that clarify attributes the study measures (Durrheim and Painter 2006:142). This conceptualisation process was also a way to give validity to the study. For example, the concept of civil society has a long theoretical history. This classical theoretical conceptualisation was calibrated with

local understanding and usage in Zimbabwe to arrive at an operational definition. Secondly, the study gives a detailed context informed by the historical development of phenomena, and identifies the main players involved. This thick description affords clarity, and an opportunity to see how valid and transferable the findings are as they can be traced to developments preceding them.

Processes of verification and triangulation ensured the study's rigour. For example, during data analysis, theming and coding were done many times over to ensure all relevant issues were captured accordingly. Data analysis was also started during data collection, and in cases were gaps arose, follow-ups were made immediately. A few clarifications were also sought from interviewees even beyond the period of fieldwork.

Overall, the methodology, techniques and tools that were used to collect data were appropriate to answer the research questions. The above, together with principles of critical research, ensured validity, rigour and trustworthiness of the study.

Limitations and Ethical Considerations

Limitations.

Every research process has its challenges. The fluidity and unpredictability of the political environment in Zimbabwe could have compromised the data collection process. As indicated earlier, gaining people's trust is very difficult if one is a stranger. Despite the snowballing that was used, there remains a possibility that some respondents might have censored themselves as they spoke to a person they were seeing for the first time. It is hoped that such a challenge would have been minimised by clearly explaining the purpose of the study, as well as through data triangulation. Secondly, I struggled to get party-sanctioned interviewees from ZANU-PF. This deprived the study an opportunity to ask some questions that would have been better clarified by a strategic person from their national office. The challenge was mitigated by interviewing a former ZANU-PF politburo members and war veterans who have held executive positions at provincial levels. Additional information was obtained from documentary sources.

Some participants were interviewed about organisations they had ceased to be members of due to the phenomenon of fracturing that manifested itself mainly during and after the GNU period. Thus, it is possible that the nature of their leaving these

organisations might have influenced the responses they gave. Again, data triangulation was utilised to mitigate this challenge. Another challenge was the limited budget that I had, hence the processes of setting up interviews, interviewing, transcription and analysis were done by the researcher. But again, this challenge became an advantage as doing all the above afforded the researcher an opportunity to intimately engage with the data at all stages.

Ethical Considerations

The relationship between researchers and research participants is formed on the principles of responsibility, respect and trust. This study was guided by principles of the *Singapore Statement on Research Integrity* (see Resnik and Shamoo, 2011) and the *Economic and Social Research Council's* (ESRC) Framework for Research Ethics (see Hammersley and Traianou 2012:7) as summarised below. Even though there were no anticipated ethical risks, I observed the following important principles to ensure the integrity of the process:

- Interviewees participated in the process voluntarily and signed voluntary consent forms for their participation.
- The main aims, objectives and purposes of the study were clearly communicated to the interviewees prior to their participation, what their participation in the research entailed, and the possible risks. To this end, they reserved the right to withdraw from the interviews any time if they felt uncomfortable.
- Respect for the autonomy and confidentiality of all participants is/was respected. Only those who indicated that they do not mind their names being divulged are mentioned in the study.
- Participants were told to use a language they were most comfortable with as I am conversant with major languages used in Zimbabwe.
- Only participants who gave consent were recorded.
- The independence of the research was made clear to participants, and possible conflicts of interest were clarified.

Presentation of Results

Structure of the Thesis

This thesis is divided into eight chapters. Chapter 1 introduces the study by giving its background, problem to be investigated, context and rationale. It also outlines its aims, research objectives and questions. Methodological issues are also clarified, as well as giving a synopsis of the study's central findings which is meant to be a navigational tool to readers. Chapter 2 deals with the concepts and theories that underwrite the study. Here, Gramsci's concepts of civil society, hegemony, intellectuals, integral state are grappled with, and the study's guiding definitions are developed. It also utilises Randeria's (2002) notion of "entangled histories of uneven modernities" to understand concepts that have travelled through time and space. Chapter 3 is an analytical framework that give alternatives on how civil society – state relations can be understood. Several models are interrogated, but Najam's (2000) Four C's model is chosen as the best to interrogate relations in Zimbabwe.

Chapters 4, 5 and 6 are where extensive literature and empirical evidence on civil society – state relations in Zimbabwe is examined. Chapter 4 takes a historical trajectory, tracing the development of polarisation, which is a strategy open to ruling classes to maintain/counter a hegemony. Chapter 5 engages with the development of the nascent civil society sector, particularly labour and the students' movements. This is followed by a discussion of human rights and the constitutional movements in Chapter 6, and how they interfaced with a schizophrenic state. Chapter 7 analyses and interprets the bulk of the data gathered through interviews, and calibrates that with material obtained through observation and literature review. The study's central findings and conclusions are captured in Chapter 8.

Synopsis of the Central Findings

The main findings of this thesis, to be discussed in detail in the last two chapters, are summarised below.

- The polarisation phenomenon that has been characterised as a new phenomenon by several writers (e.g. LeBas 2006; Magure 2009; McCandless 2012 and Gallagher 2015) is actually a long enduring phenomenon that has

bedevilled Zimbabwe's politics since the emergence of the nationalist movement during colonialism. What changed is that after the unity accord in 1987, issues that had nourished polarisation expanded from ethnicity and personal ambition to broader struggles of democracy.

- For the period up to 2009, a *confrontational* relationship defined engagements between counter-hegemonic civil society and the state, while organisations aligned to the ruling-party hegemony maintained an imprudently *cooperative* relationship with the state. These "two sides" of civil society developed incestuous relationships with political parties as they campaigned for two different versions of democracy that both fell short of popular (strong) democracy (Saul 1997:230). From 2009 onwards, these close relations began to collapse as alliances and coalitions fractured. The result was the *fractionalisation* of the civil society sector, and the delinking of some organisations from political parties. This fractionalisation of civil society may be progressive because it not only weakens the polarisation boundary, but also pluralises areas and discourses of participation. However, this benefit must be celebrated with caution since fractionalisation is still new and prone to reversals. It may also not bring about the appropriate participatory alternatives.

- The relations that developed between the state and civil society in Zimbabwe were shaped by both sides. This argument remodels a common belief that state – civil society relations are mostly determined by one side, usually the state because it possesses coercive powers. It must be emphasised that sources of power are many – they can be epistemic, ideological and financial. Non-state organisations do possess these too.

- The economic squeeze experienced in the country between 2000 and 2014, and the precarity of the socio-political environment has forced intellectuals and activists either to withdraw from activism, or to migrate to other countries. This has led to diminishing pressure on the state to democratise. Such a state of affairs has led to the faltering of a counter-hegemonic agenda, which tended to rely heavily on external funding that is currently experiencing high levels of fatigue.

- Civil society played a significant role in attempts to democratise Zimbabwe, especially in identifying key areas where pressure needed to be applied to force

the state to reform. However, the current level of democratisation in the country, which is characterised by imminent change that never seems to arrive is not a coincidence. It is a function of the kind of politics that has been pursued in a polarised environment, where just two sides are pre-defined as the only possibilities.

The next chapter is a theoretical discussion of the concepts that underwrite this study.

Introduction.

The task of studying civil society and state relations is by itself very complex, but to incorporate the phenomenon of democracy into the equation complicates the task even more. This complexity is compounded by the fact that these concepts have travelled in time and space from their theoretical origins, and have changed "shape and colour", in the process developing multiple identities. Thus, it becomes difficult to tell what must and should constitute their contemporary understanding (Magure 2009:32). This makes it even more important to delineate their conceptual parameters to give probity to their usage in specific contexts (Kendie 2006:101).

Many theorists believe that civil society should be an arena that is oppositional to the state (see Nzimande & Sikhosana 1995:21-22; Edwards 2014:2-8). Chabal (1992:83) broadly describes civil society as an "ensemble of constantly changing groups whose only common ground is exclusion from the state, and their consciousness" of this exclusion is the basis for opposing the state. Should we view this oppositional tendency noted by Chabal as part of a process that broadens democracy, and if so, what kind of democracy? As Abrahamsen (2000:52) rightly observes, within the good governance discourse, civil society is portrayed as the link between economic liberalisation and democracy. Civil society gets promoted as a "countervailing power" to the state, functioning to curb state authoritarianism and undemocratic governance.

An alternative view states that, together with political society, civil society forms what Gramsci calls an integral state (Gramsci 1971:263; Thomas 2009:137-9,160-5; Anderson 1977:26; Forgacs 2000:234-5). This later conceptualisation accepts that civil society can never be fully separated from the state especially since class alliances cross state – civil society boundaries. Hence the relationship between political and civil society may have to be understood along a continuum, where roles may intersect, however with differing intensities. For example, civil society has no coercive powers and cannot impose laws, hence its role in the political and ideological sphere is limited to the consensual realm. However, in doing so, it can legitimate or delegitimise the

state. Political society on the other hand, has monopoly of force, which it can use legitimately such as in law enforcement. It can also use it beyond what can be perceived as legitimate.

If indeed civil society is part of an integral state, how deep is its influence in hegemonic processes and in democratisation? Can civil society as a sector be disaggregated to account for its relevance to different social classes? Confounding questions begin to emerge when one deals with concepts with a chequered history such as civil society and democracy. Yet, is it not in their ambiguity that they become useful in analysing a dynamic society? After all, a loose and elastic concept can still attain precision when it is brought into contact with the situation it is invoked to explain (Cox 1993:50). Below we interrogate the concepts of the state, civil society, and democracy before we turn to Gramsci, whose conceptualisation of civil society, hegemony and integral state informs this study.

Understanding the state, civil society and democracy.

It is important for any study to begin by interrogating the parameters of major concepts that define it. By so doing, contradictions that may be immanent in normative and empirical usage of such concepts are clarified. Particularly for this study, the objective is to develop a contextualised understanding of the notions of state, civil society, hegemony and intellectuals, and then use their understanding to analyse state – civil society relations in Zimbabwe.

The State and the party-state

The state

This section briefly discusses what is generally understood as the "state".[14] The most salient differences among state theorists are those between Marxists (e.g. Marx; Gramsci; Poulantzas; Miliband) and liberals (e.g. Locke; Weber; Stuart Mill; Thomas Paine; Alexis de Tocqueville; Dani Rodrik and Larry Diamond). Marxist views are based on the idea that the state mainly works in the interest of a ruling or capitalist

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[14] Later on in the chapter, the study will then discuss Gramsci's concept of an "integral state", which is also relevant for this study.

class by virtue of the later's control of the means of economic activity. Yet, some Marxists also acknowledge that such views are not absolute because there are times when the state is altered in many ways by the power of other classes and social groups. This is aptly argued by Miliband (1983:58), who, in using Poulantzas' idea of "relative autonomy", argues that the nature of constraints and pressures which shape the state's orientation (whether pro-capitalist or pro-working class) emanate from many different competing interests. This leaves the state with some degree of autonomy to decide which interests to represent. Some of these pressures are external, such as global trends and international organisations, while others are internal, such as competing social groups and parties. Femia (1987:28) enriches the above views by describing the state as a complex of political, ideological and economic activities by which ruling classes not only justify and maintain their domination, but do so successfully through the consent of the dominated. For Marxists the state can be used as an instrument of accumulation and rent seeking by ruling classes.

On the other hand, liberals are more inclined to view the state as a neutral entity made up of a set of separate institutions such as the executive, bureaucracy, legislature and the judiciary. It has specific functions to fulfil, and possesses a monopoly of the means of violence. However, there seems to be agreement amongst various liberal theorists that a state is the organised aggregate of relatively permanent institutions of governance (Chazan, Lewis, Mortimer, Rothchild and Stedman 1999:39). However, Migdal's (2002) conceptualisation of the state is closer to the position of this study. It views the state as "a field of power marked by the use and threat of violence, and is shaped by the image of a coherent, controlling" organisation "in a territory, which is a representation of the people bounded by that territory" (Migdal 2002:16-17). Emphasis should be made that although the state possesses coercive powers, sometimes it thrives through consensual leadership.

When a ruling political party has unfettered access to state power for a long time, the difference between the party and state becomes blurred, leading to what some writers call a "party-state". This notion is discussed below.

The concept of a party-state.

The following chapters will increasingly make use of the notion of a "party-state", as have other authors (e.g. Zolberg 1966, Widner 1992; Moore 2003:39; Kriger 2012

Southall 2016:126) and political activists[15] to denote a practice where state structures increasingly conflate with ruling parties. Zolberg (1966:124), in analysing the emergence of the party-state in West Africa, describes it as a party-dominant, as opposed to a government-dominant governing system. This concept refers to a phenomenon where a political party becomes an adjunct of the executive, where there is conflation of responsibilities and personnel between the ruling party and state. Boundary lines between the ruling party and state become blurred as parameters of the party expand and penetrate those of the state, making a distinction between the two difficult (Widner 1992:2, 5). This is not to say there should be a clear and static demarcation between the two, but that they should be distinguishable.

Thus, in a party-state, the ruling party is much less a parallel structure of ideological control over state institutions than an active auxiliary task force to make up for the state's inadequacies (Zolberg 1966:126). A party-state should not be confused with a one-party-state in that while in the later opposition parties are illegalised, in the former, political parties can exist, albeit with very little space as state structures, over time, are attuned to serve only the interests of the ruling party. In a party-state, even though attempts may be made to maintain separate lines of communication and structures of authority between the party and state, such lines are always distorted, "because in the eyes of the population it is impossible to be loyal to two modern chiefs" (Zolberg 1966:126). Thus, the public service gets "overwhelmed by the political" (Southall 2016:127) as state institutions such as public media, police, and bureaucracy become partisan, while functionaries who resist are forced to leave their positions. In many instances, "a party-state is reluctant to render itself publicly accountable, and displays an increasing penchant for secrecy" (Southall 2016:127). It goes without saying that such a system cannot accommodate many tenets of democracy.

In Zimbabwe, for example, those who head state institutions, including the military and bureaucracy, have been appointed because of their loyalty to the ruling party. The security chiefs, for example, have openly indicated that they will not salute any president who holds no war credentials. Private associations such as the war veterans' and ZANU-PF district party chairpersons are integrated into state structures such as land distribution committees (Zamchiya 2011:1103; Moyo and Yeros 2014:91). To

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[15] The use of the concept "party-state" was invoked by many interviewees, which shows that even though the idea has not been adequately theorised in the Zimbabwean context, its practical manifestation is not in doubt.

analyse the Zimbabwean state using a Weberian conceptualisation of the state will clearly be inadequate because ZANU-PF has carefully integrated the party to the state to the extent that one denotes the other. The party's vice presidents always become the state vice-presidents. The party's key politburo secretaries normally assume the same portfolio as state ministers. For example, the party's secretary for finance usually becomes the minister of finance, and that of information and publicity assumes the same portfolio in cabinet. This study, therefore uses the idea of a party-state to refer to the state – party complex developed by the ruling party in Zimbabwe since 1980.

Many theorists and activists believe political parties are inadequate to provide expression for desired policy and to challenge the *status quo*. They turn to civil society for more representative processes. Hence, the next section interrogates the notion of civil society.

Civil society

Proponents of democracy believe that civil society is key to a sustained political reform that can lead to democratisation of developing countries (Jonathan Moyo, 1993; Makumbe 1998b; Lewis, 2002; Magure, 2009; Sachikonye, 1995a). Post (1991:36) opines that the essential preconditions for democracy are made possible by the kind of organisation found in civil society and the ways in which these conditions impinge on the state. For Harbeson (1994:1, 2), the concept of civil society has been the missing "key" to the understanding, and most importantly, resolution of Africa's political, socio-economic crises and the creation of legitimate states and governments. This same concept, which has been described by some theorists as ambiguous (Misztal 2001:73-5; Ntseane and Youngman 2002:126; Mzizi, 2002:185) because it means different things to different people, is seen by others as the cure for the social problems in modern societies. Since most of these discussions are over a decade and half old, it would be informative to assess whether their observations have sustained. However, the study will first look at the historical development of civil society before turning to its value proposition.

Historicising the idea of civil society.

Civil society requires deep historical and conceptual unpacking for one to understand it. This is even more so when it seems to be of utility to leftists and liberals alike, who are both disappointed by the performance of the state and are ostensibly united in deferring some state responsibilities to civil society (Moyo 1993:4). It would seem that even though civil society's role changes with time, and despite Chabal's (1992:82) assertion that its historical emergence matters less, a historical glimpse of this concept is the logical starting point. Besides clarifying its developmental path, historicism would also show how it has been a subject of philosophical debates for a very long time.

John Locke's *Second Treatise of Civil Government* (1689), argued that:

> Whenever, therefore, any number of men so unite into one society as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political or civil society. And this is done wherever any number of men [and women] in the state of nature, enters into society to make one people one body politic, under one supreme government, or else when any one joins himself to, and incorporates with, any government already made. For hereby he authorises the society, or which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require, to the execution whereof his own assistance (as to his own decrees) is due (Locke [1689] 2005:32).

The emphasis here is that political society and civil society are one and the same thing, and this is in contrast to other liberal interpretations that separate civil society from political society, such as Hegel, Alexis de Tocqueville and Adam Ferguson discussed below. Locke's position is closer, but not similar to Marxists' exposition of civil society also discussed below. However, both Liberal and Marxist schools benefit from Locke's social contract theory which posits that as soon as men/women consent to be part of a commonwealth, they relinquish some of the rights bequeathed to them by the state of nature and henceforth accept to be bound by laws that are good for society. A century after Locke's *Second Treatise*, liberal philosophers such as Adam Ferguson, Thomas Paine and Alexis de Tocqueville also began to acknowledge the existence of a "non-state" social realm that developed as a defence mechanism against potential abuse by political society (Bratton 1994:53).

Keane traces the emerging distinctions between state and civil society through texts such as Ferguson's *Essay on the History of Civil Society* (1767)*,* Paine's *Rights of Man (*1792), and de Tocqueville's *Democracy in America, 1835-1840* (Bratton 1994:53)*.* These texts recognise that the emergence of a centralised government or constitutional order had begun to undermine the sovereignty of individual citizens,

hence the necessity for civil society to curtail governmental power and concomitantly safeguard individual rights. Ferguson saw civil society as an alternative to both the state of nature and the individuality brought about by the emergence of capitalism (Lewis 2002:570). De Tocqueville, another liberal theorist influential in arguments of civil society as separate from the state, argued that the state needed to be overseen by an independent eye of society made up of a plurality of interacting, self-organised and vigilant civil associations. The role of this civil society would be to nurture basic rights, to advocate popular claims, and to educate citizens in the democratic arts of tolerance and accommodation (Bratton 1994:54).

Hegel, on the other hand, saw civil society as a sphere replete with contradictions but designed to advance private interests. He understood civil society as a composite of commercial and industrial life, economic instruments and relations as well as public services that were necessary to maintain order in a liberalised environment (Femia 1987:26). He recognised that the self-organised and disparate aspects of civil society needed to be balanced and ordered, or patrolled by a higher authority – the state – in order to contribute to the common good (Lewis 2002:570). Hegel was not an advocate for a complete separation of civil society from the state. In fact, he identified instances where state purging of civil society was necessary, such as when the state wanted to protect and further the universal interests of the population (Keane 1988:48).

Other influential texts such as Hegel's *Philosophy of Right* (1821), Marx and Engels' *German Ideology* (1932), and Gramsci's *Prison Notebooks* (1929-1936) prove that the liberal thinkers cited above did not (and do not) enjoy complete pride of place in interpreting civil society's emergence. Even though these theorists accepted the qualified distinction of civil society from the state, their reasons differed from the liberals. Marx and Engels argued that the emergence of civil society was rooted on property relations and capitalism. They put it thus:

> The word "civil society" [*bürgerliche Gesellschaft*] emerged in the eighteenth century, when property relationships had already extricated themselves from the ancient and medieval communal society. Civil society as such only develops with the bourgeoisie; the social organisation evolving directly out of production and commerce, which in all ages forms the basis of the State and of the rest of the idealistic superstructure, has, however, always been designated by the same name ([1932] 2000).

In their view, civil society was created not to help the common person but to be an agent for the further exploitation of the proletariat and peasants. Gramsci viewed civil society as part of the state in analytical terms, which slightly altered that of Marx and

Engels. His views are interrogated in the next section.

Gramsci and civil society.

Jeffrey Alexander (2006:28) summarises Gramsci's broad understanding of civil society as the "realm of political, cultural, legal and public life that occupied an intermediate zone between economic relations and political power". Gramsci developed what is widely accepted as a new and original conceptualisation of civil society in this way, transcending and broadening earlier Marxist understandings that confined civil society to economism. Gramsci's position was that changing economic conditions do not bring about political changes by themselves. They can only set the conditions in which such changes may become possible. The relations of force at the political level and the degree of political organisation are crucial in bringing out these changes (Forgacs 2000:190). These political elements are buttressed by voluntary organisations in civil society in which new ideologies – the cultural side of moral and intellectual leadership are formed (Gramsci 1999:193). Gramsci conceptualised civil society as made up of various forms of voluntary associations and as a moment of transformation and expansion from economic structure to include political society. For Gramsci, civil society is the arena where dynamics of identity formation, ideological struggles and hegemonic construction and contestations take place (Augelli and Murphy 1993:129). Such a conceptualisation is useful in understanding what civil society is, and this study will certainly benefit from such a characterisation in demarcating, defining and analysing civil society in Zimbabwe. This Gramscian conceptualisation will be compared, contrasted and integrated with the common understanding of civil society in Zimbabwe as will be gathered during data collection. Of particular interest will be to check if indeed civil society in Zimbabwe has acted as an arena for hegemonic construction and ideological struggles since one of the aims of this study is to establish if there are discernible ideological foundations that drive civil society activities in the country.

Gramsci, borrowing from both Hegelian and Marxist views of civil society, employed a methodologically dichotomous analysis of political society and civil society (Femia 1987:26). This analysis located both political and civil society in relation to a structure called the state. In his words, Gramsci (1971:12) wrote:

> What we can do for the moment is to fix two major superstructural "levels": the one that can be called "civil society", that is the ensemble of organisms commonly called "private" and that of "political society" or "the state". These two levels correspond on the one hand to the function of "hegemony" which the dominant group exercises throughout society and on the other hand to that of "direct domination" or command exercised through the state and the "juridical" government. The functions in question are precisely organisational and connective.

The quotation characterises civil society as an aggregation of voluntary organisations, counterpoised with political society, which are organisations that are found in the public realm, or the state. The differentiation between these two superstructures was meant to be an analytical device, and according to Gramsci, their difference is to be found in the way in which they exercise power. These two spheres represent the location of force and consent as instruments that consolidate power. Political society, if need be, exercises its power through the coercive and juridical instruments of domination, while civil society exercises ethical values through ideological and cultural leadership (Bratton 1994:55) or hegemony.[16] In other words, political society relies heavily but not exclusively on the use of force to lead while civil society relies mostly on consensual leadership.

However, political society and civil society are not diametrically opposed superstructures, but dialectically intertwined organisms whose distinction from each other hinges relatively on the levels of force (political society) and consent (both civil society and political society) at their disposal. Consequently, because of its hegemonic advantage, political society can (ab)use civil society to advance the interests of the state, or the elite in it. Equally possible is for the coercive nature of the state to be (ab)used to the advantage of ruling class and capital. All this models a complex set of relationships between the state and civil society.

Therefore, according to Gramsci, civil society is a site of consent, hegemony and ideological direction, in contrast to political society, which is mainly (but not exclusively) a site of coercion and domination. Thus civil society becomes the terrain where dominant classes organise and construct their hegemony; and where opposition parties and movements develop counter-hegemonic ideologies, form coalitions to build social power (Forgacs 2000:224). As a realm that manufactures consent, civil society becomes the terrain where those who want to lead must go in order to disseminate their ideologies, build coalitions and formulate opposition parties and movements. Hence civil society becomes an arena for hegemonic contestation.

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[16] The concept of "hegemony" will be unpacked in the later sections of this chapter.

For Gramsci, while political society is made up of state institutions such as parliament, police, judiciary and political parties represented within state institutions, civil society mainly occupies the superstructure of non-state activity, occurring in interest groups' associations and other socio-cultural institutions that disseminate values throughout society (Bratton 1994:55). However, Gramsci acknowledged that the two moments of the superstructure (political society and civil society) overlap and cause some interpenetration between these two spheres. For example, if the state wants to introduce unpopular policies, it appropriates some elements of civil society to shape appropriate "public opinion" (Femia 1987:27). Gramsci (2007:213) says "public opinion" is connected to political hegemony. It is the political and ideological contact between civil society and political society, or between consent and force. He elaborates:

> When the state wants to embark on an action that is not popular, it starts to create in advance the public opinion that is required; in other words, it organises and centralises certain elements of civil society… Public opinion is the political content of the public's political will that can be dissentient; therefore, there is a struggle for the monopoly of the organs of public opinion – newspapers, political parties, parliament – so that only one force will mould public opinion and hence the political will of the nation, while reducing the dissenters to individual and disconnected specs of dust (Gramsci 2007:213).

In the contemporary world, this position outlined by Gramsci above may be challenged. The media landscape, aided by advancing technology and capital, has opened and diversified even though some aspects of constrain still persist. In Zimbabwe for example, state media has been used to shape public opinion and to advance the interests of the party-state, while independent media has been throttled since the enactment in 2003 of the Access to Information and Protection of Privacy Act (AIPPA), which, upon introduction, imposed controls on who would be allowed to practice journalism (Moyse 2009:53).

It seems Gramsci's separation of civil society from political society was a momentary phenomenon designed to facilitate ease in analysing state – society relations at any given moment. For him, the concept of civil society could not be pinned down permanently. It oscillated between three or more positions. At one level he confined the state only to political society. At another level he argued that the state was a balance between civil society and political society (Hamilton 2003:109). He characterised the state as civil society + political society, in other words saying the state is hegemony armoured by coercion (Anderson 1977:12; Femia 1987:28). This double perspective is visible when Gramsci invokes Machiavelli's image of the centaur

– half man and half beast – to show the dialectical integration of hegemony and domination or consent and coercion to obtain what Gramsci termed the "integral state" (Morera 1990:165; Thomas 2009:164). The concept of an integral state is examined below.

Gramsci's integral state.

What did Gramsci mean by an "integral state"? Is it relevant to the ideas of hegemony and civil society? The answer to the second question is affirmative, and in interrogating this relevance the discussion will concomitantly answer the first question. Anderson (1977:22-5) illustrates that at certain moments, the concept of hegemony is not confined only to civil society (later sections in this chapter will show how this is the case). Hegemony can also be exercised within organs of the state (executive, legislature, judiciary), and in such instances it should be conceptualised as political hegemony (located in political society) as counterpoised with civil hegemony (exercised in civil society). This dialectical articulation and condensation of the two forms of social relations within a given state-form is what constitutes an "integral state" (Thomas 2009:140). In other words, it is the "complex of practical and theoretical activities" by which a dominant "class not only justifies and maintains its dominance, but how it also manages to win over active consent of those it rules" (Gramsci 1971:144).

There is inherent confusion one encounters when trying to delink civil society from the state. What makes it complex is that neither the state nor civil society take a permanent and singular existence. To disentangle that complex, Gramsci says:

> We are still on the terrain of the identification of state and government – an identification which is precisely a representation of the economic corporate form, in other words of the confusion between civil society and political society. For it should be remarked that the general notion of the state [*read integral-state*] includes elements which need to be referred back to the notion of civil society (in the sense that one might say that state = political society + civil society, in other words, hegemony protected by the armour of coercion). …In politics the error occurs as a result of an inaccurate understanding of what the state (in its integral meaning: dictatorship + hegemony) really is. This leads to an underestimation of the adversary and his fighting organisation (Gramsci 1971:263, 239).

Gramsci's notion of an integral state is an acknowledgement of the interpenetration of what are too often considered as different spheres (civil and political). Gramsci's words where he says the state was only an "outer ditch behind which stood a powerful

system" (1971:238) emphasise the connection he sees between the state and civil society. After all, every form of organising within the realm of civil society is directed primarily at winning over the state, or at least gaining its attention.

Earlier in this discussion, Gramsci (1971:12) was quoted saying, "what we can do at the moment is to fix two major superstructural levels". It is likely that Gramsci was referring to the two aspects of the integral state. More importantly to note is that such a statement validates the point that disaggregation of the integral state into civil society and political society was a "momentary" action to aid analysis. This study will base its utilisation of the concept of civil society in Gramscian terms at this "frozen" moment when civil society and political society are separated. This specific conjuncture is when people outside the state become conscious of their externality and engage in heightened political action. This is the moment when increased calls for democracy become louder. It is also when an aggregation of broad and narrow interests transform and coalesce in order to speak to both particularistic and universal interests. Civil society becomes the primary political realm where dynamics of identity formation, ideological struggle, intellectual activities, coalition building, and the construction of hegemony occur (Augelli and Murphy 1993:129). At such moments, the light shining on these struggles make the outlines of coercion and authoritarianism very clear and harsh, hence the loud calls for democratisation. Yet, during these moments when people are struggling for a new political order, they are also aware that civil society can never be a replacement for the state (Randeria 2002:8). The state remains the vehicle with which to achieve a new order and therefore it becomes as attractive to new forces as it is to the current ruling class.

How all the above conceptualisations play themselves out in Zimbabwe's seemingly professionalised civil society arena will be established based on the empirical findings.

Problematising the contemporary understanding of civil society.

Having outlined the historical emergence and understanding of civil society, it is only fair to briefly examine its contemporary understanding. Based on the foregoing, it is apparent that, even though civil society is a term closely related to the state, it is best to analyse it as if it is outside the state. After all, civil society actors do not see it as integrated with the state.

It should be appreciated that historical interpretations differ in the emphasis they place on the relationship between civil society and the state, and its functions thereof. Hegel, Marx and Engels emphasised the material power of civil society, Ferguson and de Tocqueville emphasised the organisational aspect, while Gramsci emphasised its ideological and cultural aspects (Bratton 1994:52-3, Orji 2009:76). The convergence point for these conceptualisations is that civil society is organised space between the household (the smallest entity in society) and the state. However, this seemingly good starting point presents problems of its own. Is civil society an identifiable structure, or it is an abstract construct? What moderations does it subsume in areas where it borders the state, or family? Comaroff and Comaroff (1999:6) position civil society as an immanent construct whose materiality exists only to the extent that it is named, objectified, and sought. This is because of multiple forms it takes and the breadth it covers. The Comaroffs (1999:7) may be right to suggest that bemoaning the lack of specificity of the concept of civil society, as well as the desire to wrestle away its ambiguities; sanitising it so to speak, misses the point. The key to its opportunities – to think about, feel about, and act with – may lie in its elasticity.

Crawford Young[17] (1994:34) argues that civil society found its way into analytical lexicon in the late 20th century when a sustained distinction between the state and society became apparent, and was inspired by the wave of democratisation in Eastern Europe and Latin America. It was also inspired by the emergence of new movements in the West, hence its normative reduction and understanding as "…all that is desired in the making of democratic society" (Misztal 2001:74). It became a useful concept to think about societal challenges as well as to describe social formations (Hall and Trentmann 2005:2). Thus, Keane (1988:14), for example, defines civil society as an:

> Aggregate of institutions whose members are engaged primarily in a complex of non-state activities – economic and cultural production, household life and voluntary associations – and who in this way both preserve and transform their identity by exercising all sorts of pressures or controls upon state institutions".

Keane is quick to admit that in concrete terms, the explanation of the term "civil society" may go further than what his definition portrays. This admission, even though not well explained, is timely because it concedes the impossibility of clearly demarcating the borders of what is non-state. This is so because as a realm, civil

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[17] Young's first name is used here in recognition that there are a number of "Youngs" who are dominant in political science literature.

society is replete with contradictions and conflicts, some of them nourished by class, race, and ethnicity as well as inequality. One of these contradictions is that, even though the dominant conceptual location of civil society is outside the state, there is no indefatigable border patrol that will ensure there is no interpenetration between civil society and the state. Schools, think tanks and universities for instance, are centres of intellectual and cultural production, making them an integral part of civil society. These same institutions may be state funded. Teachers, paid by the state, may form professional bodies and unions that are part of civil society. Therefore to idealise and analyse civil society in abstraction, outside material conditions and state control would render it to ridicule.

Jonathan Moyo (1993:2), views civil society as a "plurality of social enclaves which exist in contradistinction to the dominance of a particular monopolistic social system within the same social realm or territorial unity." He proceeds to identify a variety of social systems that have been the target of civil society's fury. These include the church, monarchy, the party, the state and the market. Moyo's description clearly manages to transcend the confines of state and non-state dialectic. His emphasis is on the "plurality of social enclaves" which comes into existence because of or against the presence of particularistic and monopolistic dominances of any social system. This characterisation is persuasive in that domination can come from any angle, whether it be from within the state, race, market, or as has been evident of late, from transnational organisations and global powers.

The perceived autonomy of civil society emphasised by proponents does not preclude it from recognising the legality and authority of the state. Neither can civil society be used as a substitute for the state (Hassan 2009: 69; Randeria 2002:8). Thus some theorists have begun to stretch the conception of civil society to include what they call "uncivil society" (e.g. Bond 2014; Bob 2011; Glasius 2010; Rahman 2002; *The Economist* 2015), to designate organisations working outside what are seen as preposterous legal prescripts. All these internal contradictions blur the lines between what can be seen as state and non-state activities. Additionally, as Jeffrey Alexander (2006:53) observes, everywhere, civil society depends on resources from other spheres: from economic and political institutions, from familial and religious life and from global organisations. All this moderates its autonomy – but it does not preclude the importance of studying it in its own right.

The preceding may seem overwhelming and not focused enough to be helpful to

understand civil society in developing countries. This is also the reason why some theorists have doubted if indeed civil society can be identifiable in countries such as Zimbabwe. The following section, "Entangled histories of uneven modernities" discusses how an "alien" concept can be useful in a setting foreign to its origins.

"Entangled histories of uneven modernities" and promiscuity of a concept.

Based on the short historical exposé of theories of civil society, it can be seen that despite their Western origins, the classical theorists discussed earlier differed in their application of the concept. Indeed they were writing about a social phenomenon as it evolved organically in time and space. What then does this say about the contemporary usage of this idea in Africa more than a century later? A dogmatic application of any theory without due regard to contextual realities often invites serious criticism. Randeria (2002:4) questions such a doctrinaire approach to understanding concepts that have travelled across the world and entangled with different cultures. She poses penetrating questions that deserve restating here: (a) What status should be accorded to the paradigm of Western modernity in a conceptualisation that recognises historical and contemporary entanglements between Western and non-Western societies? (b) Can multiple modernities be conceived in terms of different elements of modernity variously combined at different points of time in different societies? These vexing questions undoubtedly challenge our mono-directional and purified understanding of social concepts (e.g. civil society) as originating from one society and then applied unadulterated in other societies. Particularly with civil society, the Comaroffs (1999:6) rightly observe that beyond the confines of the West, the concept has spawned different meanings and imaginings, most of them distrustful of European modernity.

Randeria (2002:11) uses the notion of "entangled histories of uneven modernities", an idea that argues against seeing a single coherent assumption of civil society as emerging fully formed from Europe. The notion of entangled histories also shows how various European ideas of civil society were creatively used and developed further outside of the confines of Europe, and how this in turn mediated original discourses and practices both in the West and non-Western settings. It is clear that when a concept travels and is used further away from its origins, it changes its "colour and

shape". Even though it maintains its core historical connotations, application is no longer chained to how it was applied historically. The entangling of histories and cultures concomitantly leads to the pluralisation of the old and the new, therefore it should become possible to conceptualise other trajectories that diffuse and diverge from the ideal, typical and universal conceptions (Randeria 2002:4). Even Gramsci (1971:182) recognises this idea when he says:

> It is also necessary to take into account the fact that international relations intertwine with these internal relations of nation-states, creating new, unique and historically concrete combinations. A particular ideology, for instance, born in a highly developed country, is disseminated in less developed countries, impinging on the local interplay of combinations. This relation between international forces and national forces is further complicated by the existence within every State of several structurally diverse territorial sectors, with diverse relations of force at all levels.

Masunungure's (2008:58, 66) and McCandless' (2012:11) argument that civil society in Africa is different from civil society in the West because colonisation in the 19th century interrupted its organic development is not only conceptually correct, but also analytically valid. Hence, as Randeria (2002:4) observes, the idea of a sanitised and homogeneous Western modernity[18] travelling to the rest of the world must be replaced by a much more messy and complex process of disparate and divergent ideas of entanglements. Therefore the characterisation of civil society as "marginal" or "embryonic" in non-Western societies becomes part of narratives which partake in comparative idealisation of world history thought of in binary terms. This binary portrays European historical experience as universal and therefore the ideal (Randeria 2002:10). Similarly, essentialists who doubt civil society's existence in Africa miss the point because they abstract crudely a Eurocentric conception and ignore the local context. It should be emphasised that even though concepts may not migrate (literally meaning leaving one geographic area to another), the idea of travelling concepts suggests that with time concepts indigenise by taking a local identity. Civil society in post-colonial Africa is thus not only responsive to purely indigenous challenges and opportunities, but also illustrates hybrid influences and is a product of both local and outside interests.

Randeria's (2002:9) advice becomes invaluable. Seeing civil society as a unique Western creation, and its specific "traces" in non-Western societies as a sign of difference and deficiency should be discarded in favour of seeing the substance and

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[18] Debates about civil society are also part of the discourse of modernity, plurality, social cohesion, communitarianism and shifting boundaries of the public and private spheres (Randeria 2002:8).

idea of civil society as inherently elusive in both Western and non-Western worlds. After all, the different interpretations provided by Hegel, de Tocqueville, Marx, Foucault, Ferguson, Gramsci and others should attest to its promiscuity and elusiveness. It is therefore fruitful to analyse the concept's contextualised application, as this study will attempt to do with regard to Zimbabwe. The material social forces in developing countries are different from those of developed countries, and this should have an influence in how civil society is configured. As shall be seen later, this study chooses and adapts the Gramscian conceptualisation to interpret civil society – state relations in Zimbabwe, and rejects out rightly notions such as those expressed by Helliker (2012a) that Zimbabwe is devoid of civil society.

Civil society: The study's guiding definition.

As the study approaches its working definition for this concept, it is important to emphasise that in Zimbabwe, civil society did not develop organically. By organic development here I mean that the heavy weight of colonisation, the liberation struggles and the post-independence nationalist rule combined to preclude the "natural" growth and development of civil society. The civil society that developed during both the pre-colonial and post-colonial periods did so in a malnourished and asphyxiated manner (Masunungure 2008:59). As Moyo (1993:6) argues, the British colonial policies after 1890, and the unilaterally declared independence government of Ian Smith criminalised politics in black communities. Excluding blacks from mainstream politics and confining them to rural areas diminished prospects of a strong civil society. The post-independence government sought to shepherd the growth of civil society by claiming that the new government represented universal interests. Both these threads, as well as evidence of this asphyxiated growth will be discussed in more detail in Chapter Five, for now the study moves to formulate its definition.

Motivated by Randeria's (2002:11) notion of "entangled histories" and Moyo's (1993:5) staged sense of understanding civil society, this study utilises empirical data gathered during fieldwork in order to ground its understanding to the Zimbabwean context. The dominant perceptions gathered from members of the intelligentsia, state functionaries, civil society workers and activists, as well as available literature bear some aspects of commonality with classical notions discussed earlier. Predominant

within this intersection are ideas of civil society as non-state and not for profit, an arena of associationalism[19] that can act more or less autonomously, and with the capacity to represent or advocate interests of specific social groups or wider universal ones.

However, contextually unique to developing countries and Zimbabwe in particular is that civil society is largely equated and conflated with what is commonly known as non-governmental organisations (NGOs). The concept of civil society, if not the idea, is a new phenomenon that came into public discourse around the late 1990s when non-state associations embarked on a sustained confrontation with the party-state. Previously, various associations such as cooperatives, peasant farmers' associations, humanitarian NGOs, labour and women's clubs were treated as disparate and conceptualised as *non-political* (Moyo, Makumbe and Raftopoulos 2000). The perception of civil society as non-political organisations suppressed not only its growth, but also the acknowledgement and appreciation of its existence. This was aptly expressed by the following interviewees. The first one, recounting his childhood encounters with civil society said:

> As a child when I grew up in Zimbabwe in the early 1980s, we did not really have a strong established and vibrant civil society. We did have what we understood as NGOs, which were more on the side of relief agencies, food aid and so on. But with the situation in politics evolving in Zimbabwe especially in the 1990s, that is when we had a real change. We had NGOs specifically focusing on democracy, governance, human rights and that kind of stuff. The increase in the rights-based organisations prompted the shift from a narrow NGO discourse to a broader civil society one (Interviewee 5).

Another Interviewee who has led several civil society organisations, and is also a former cabinet minister said:

> The concept of civil society as used in Zimbabwe is fairly narrow because it relates to those organisations that are formalised and institutionalised, that work in the field of promoting human rights, democracy and development. It is not as broad as it is in literature and in theoretical terms…But in Zimbabwe, when people are talking about civil society, they are referring to those organisations that are dealing with democracy, human rights, rule of law, forgetting that it is broader (Interviewee 14).

Another interviewee who has written extensively on civil society, argued:

> Immediately post-independence, and even before 1980, civil society arena is narrowed to non-state actors, and more specifically in the Zimbabwean case, it's about NGOs until later on in 1997-9 or somewhere there, you begin to see the term civil society applied, also in a reductionist way, to refer to non-state actors, now including labour unions and the student movement. In Zimbabwe, but also in Africa, people begin to use the concept of civil society a lot more in the era of structural adjustment, in the era of neo-liberal thought when it is being applied, still in a fairly narrow way referring to non-state actors, with a great emphasis on NGOs…In that way you have an exclusion of all sorts of organisations which include local groups and CBOs [community based organisations]. In Zimbabwe, the whole discourse of civil society focuses on what I can

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[19] For a discussion of the idea of associationalism, see Alexander; Barraket; Lewis and Considine (2012).

call the 20 or 30 high profile NGOs, of which you can include labour, students and human rights movements (Interviewee 29).

The NGO sector became prominent because of new roles the sector acquired after liberal notions of rolling back the state took hold in the early 1990s (Moyo, Makumbe and Raftopoulos 2000:xii). A common thread gathered from the field is that in Zimbabwe, the concept of civil society is used in a narrow sense that excludes other actors who by definition should be included. Some members of religious organisations and office-holders in labour unions told the researcher that they do not consider their organisations as part of civil society.[20] Either way, the growth of civil society in Zimbabwe cannot be delinked from the emergence and dominance of liberal ideas such as structural adjustment programmes and struggles against them.

Accordingly, for this study, civil society becomes the sphere standing between the state, the market and family where a plurality of social associations, formal or informal, are formed in pursuit of a variety of contradictory and complementary ideas. It exists in contradistinction to the dominance of a particular monopolistic system either within the state, market or society at large. It should be viewed not as a homogeneous and monolithic arena, but as occupied by organised and differentiated groups. As shown in **Figure 2** below, some actors in civil society are closer to business, others to the state, while some work more frequently with family. Any type of relationship with either sector becomes possible.

A formulation of this kind, which sees civil society as an arena open to various actors and different classes, but operating with some degree of independence from the state, is helpful when one analyses different individual organisations that are part of this arena. It rejects the preconceived idealisation of a sphere that is always anti-state or anti-market, because these two are notorious for occupying that arena in one form or another. The definition rejects a characterisation that perceives civil society, and the state, as impervious to interpenetration, because these two relate to each other in a dialectical and not diametrical manner. The concept of civil society is usually invoked in relation to the discourse of democracy. It is to that discourse that we now turn.

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[20] This will be further discussed in chapter 6.

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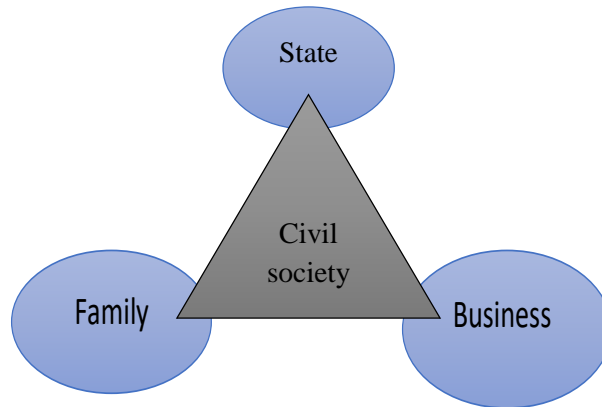
Diagram adapted from Paffenholz and Spurk (2006:3)

Democracy: interrogating the concept.

Democracy is perhaps the pre-eminent of the overused, misused and contested terms in political studies. This is because democracy means different things to different people. Different perspectives emphasise different and diverse aspects of its practice. Each emphasis is mostly informed by one's ideological, political, economic, social and cultural background. Despite all this, democracy is often invoked as an unproblematic concept and an unquestionable good about which there is universal agreement. Just as the idea of civil society, it is applied as if there exists a worldwide democracy movement with shared values, goals and understanding (Abrahamsen 2000:67). It is a concept that has travelled and no doubt falls into Randeria's notion of entangled histories of uneven modernities.

Because of its ambiguity, several analytical typologies have been adopted by proponents of democracy to try and structure its understanding. The Varieties of Democracy Institute (N.D.), a Swedish think-tank on these issues, understands democracy through various ways of its expression in governance. These are electoral, liberal, majoritarian, consensus, deliberative, participatory and egalitarian democracies. Cohen (1991:8) identifies a range of conditions that can serve to operationalise democracy. These include freedom of speech and association, recognition and protection of rights, protection from discrimination, equality before the

law, competitive elections, and accountability.

Sachikonye (1995a:1), rightly argues that the concept of democracy has been loaded with Western historical and ideological baggage. He observes that in the contemporary world it is associated with political systems in which multi-partyism exists, periodic free elections based on universal suffrage are held, and press freedom, human rights, protection of private property and the rule of law are guaranteed. Checks and balances are instituted and there are oversight institutions to ensure that decision makers are held to account. There is separation of powers amongst the arms of state: legislature, executive and the judiciary. Yet this is where the problem with liberal democracy lies. Instead of pleading its case and discourse through pragmatic ways, it often defaults to other institutions such as the judiciary and economy to assert its case. In Africa, this liberal way of looking at democracy may actually jeopardise its saleability in the long run. It propounds a form of governance that has little relevance to the majority of citizens whose organic way of life was disrupted by colonialism combined with capitalism, and therefore left behind by development. Abrahamsen, (2000:77), captures this idea eloquently:

> The conceptualisation of democracy in contemporary development discourse is incompatible with a strong commitment to the redistribution of resources, and mainstream literature on democratisation in the South similarly shows a striking disregard for normative approaches to democracy… Issues raised by participatory democratic theory are of particular relevance to poor societies characterised by extreme inequalities of wealth. The African poor, despite constituting the majority in many countries, may not be able to influence decision making in a political system characterised by regular elections and universal adult franchise in any significant way.

Other theorists dichotomise the concept of democracy in an attempt at both simplifying its understanding and baring its utility or lack thereof to developing countries. Moore (2013:47; 2014b:101) uses "thin" or "lite" democracy as juxtaposed with its "thick" version to describe liberal democracy and the expanding modes of participation respectively in all spheres of social existence. Saul (1997), interrogates governance in post-independence Mozambique and South Africa, and contrasts liberal democracy (centred on ideas of limited government interference in the market, individual rights, parliamentary and party institutions and the prominence of the marketplace) with Shivji's idea of "popular democracy". He describes popular (strong) democracy as:

> Politics in the participatory mode, a politics through which active citizens govern themselves directly, not necessarily at every level and in every instance, but frequently enough and in particular when policies are being decided and when power is being deployed… A strong democracy is one in which consensus, community, and a sense of the public realm is won through

political interaction, not imposed from above (Saul 1997:230-1).

From the foregoing, there seems to be some convergence on the need for a functional, but contextualised notion of democracy. There is no doubt that it is a system that should pivot on popular interests. Therefore, it must have a way to determine and represent such interests, even more, a way to ensure such interests are met. Democracy is a system that is invoked in contradistinction to other systems such as aristocracy, monarchism, dictatorship, totalitarianism and fascism. Viewed from this angle, what then distinguishes a democracy from these other systems is the level of people's involvement in decision making. This means power should not be confined to the ruling class, but distributed equitably to involve other social groups. For dominated social groups in Africa, access to socio-economic goods is crucial. It must be important that participatory mechanisms are strengthened, and ensure that they are not defined only by those in power, but also by those whose access to economic goods has been denied.

For democracy to be of utility to all social classes, it should espouse more popular notions than liberal ones. Unfortunately in many developing countries, liberal democracy has become stronger while popular democracy has been stymied because of the failure by the ruling class to give it concrete form (Saul 1997:229). For some of these countries, including Zimbabwe, even that liberal democracy is on the wane due to authoritarianism. What is needed is an intimate look at conditions in each country to identify concrete forms of governance that work for the poor, rather than transplanting would-be solutions from elsewhere. It may be necessary to delink the connections that presently persist between democracy and liberalism. This, therefore, means that the detachment of the state from the market, which defines liberalism, should be reconsidered, so should the idea of property rights without due regard to circumstances of the majority of the population. Abrahamsen (2000:84) observes that for the majority of the poor people, democracy may be valuable not only because it offers the right to vote, but also because it opens up political space for demanding socio-economic rights. In fact, it is probably the later that is more valuable at the moment. It is for this reason that proponents of democracy invoke the civil society sector as suited for the operationalisation of participatory democracy. When citizens get involved in civil society, it is tantamount to formulation of alternatives that can open up the system. However, this deferral to civil society should heed Randeria's (2002) advice for a contextualised civil society and Abrahamsen's (2000:53) caution that

modernistic civil society has been artificially sanitised by liberal ideas and as such projects itself as alternative to the state, which it is not.

While in prison between 1926 and 1937, Gramsci wrote extensively about civil society, hegemony and intellectuals. The next sections interrogate Gramsci's concepts relevant to this study.

Gramsci and the idea of Hegemony

Antonio Gramsci: A brief biography

It is important to introduce this section by outlining Gramsci's abridged intellectual biography. This information is gleaned from Femia (1987:xiii) and Forgacs (2000:17).

Antonio Gramsci was an Italian Marxist-Leninist theorist and politician born in a working class family at a village called Ales, Sardinia in 1891. As a result of a childhood accident he was hunchbacked and physically underdeveloped. He completed his secondary education at Cagliari and in the autumn of 1911 was awarded a scholarship to study at the University of Turin, specialising in socio-linguistics. Before long, his studies and the industrial environment in Turin encouraged him to become actively involved in national politics. In 1913, Gramsci, together with his friends Angelo Tasca, Umberto Terracini and Palmiro Togliatti, joined the Italian Socialist Party (PSI). From 1914, Gramsci began to write for the Italian socialist press, and became a co-editor of the *Avanti* newspaper, which he also used to organise Turin factory workers.

In 1917, he became a leading figure in the Turin Branch of the PSI. In 1919, together with Togliatti, Tasca and Terracini, Gramsci started a weekly journal called the *L'Ordine Nuovo*, which was to play an important ideological training role for the future Italian Communist Party (PCI) members. Gramsci and his *L'Ordine Nuovo* group started to advocate for workers' councils based at factory level. Gramsci became the leading eloquent proponent of these factory councils, as characterised by his role in the Turin Factory Council movement. In January of 1921, Gramsci became a central committee member of the newly formed PCI after the PSI split. The PCI became a member of the Communist International (Comintern) and in June 1922, Gramsci went to Moscow as an Italian representative in the Comintern executive. While there he married Giulia Schucht, a Russian. In 1923, Gramsci was sent by Comintern to

Vienna. While in Vienna, he tried to revive the PCI, whose fortunes had ebbed due to internal conflicts. In 1924, he returned to Italy and soon became the secretary-general of the PCI, and was seconded to parliament.

In November 1926, despite his parliamentary immunity, Gramsci was arrested by Mussolini's fascist regime. In 1928 he was sentenced to a prison term of 20 years. The case prosecutor is said to have remarked in the closing arguments, "This brain must be put out of action for a long time" (Forgacs 2000:21). While in prison he was permitted to request books, read and write. His sister-in-law, Tatiana, visited him regularly and Gramsci requested books from outside through her, and she also smuggled his written notes out of prison. In a nutshell, his jail time was characterised by reading, writing and ill-health. In August 1935, he was transferred to a special clinic in Rome, where, in 1937 he died of brain haemorrhage. His legacy is remembered through his *Prison Notebooks* that have contributed significantly to the theoretical and philosophical realm of Marxism and Social Science in general. His imprisonment, therefore, achieved exactly the opposite of what the prosecutor had wished for during the trial. It is in these *Prison Notebooks* where Gramsci wrote, disjointedly, about hegemony, civil society and intellectuals.

Based on this brief biography, it can be discerned that Gramsci was born in a working class family, and grew up in an unevenly developed part of Italy. Around 1898, his family was almost reduced to destitution when his father, a low level government employee, was convicted of embezzlement and sentenced to a prison term. Antonio Gramsci had to abandon his education to work in various casual jobs in order to assist his family. No wonder his future political life and writings were defined by class struggles, especially the rights of peasants and the working class. It is the argument of this study that the environment Gramsci grew up in equipped him to understand the struggles of developing countries better than most political theorists of his generation.

Hegemony

This study will utilise the concepts of hegemony and counter-hegemony to interrogate state-civil society relations, polarisation and fracturing.[21] Hegemony involves a

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[21] Counter-hegemony should be understood as the antithesis of hegemony. When a certain group is dominant, or when there is a dominant ideology in practice, that which seeks to negate that dominance

particular social class' ability to provide moral and intellectual leadership over most of society (Gramsci 1971:57). This leadership is articulated by intellectuals, mainly through the realm of civil society, but also through the state. The contemporary usage of the concept "hegemony" can be traced back to Gramsci; and many theorists (e.g. Femia, 1987:23; Erickson 2011:52; Sassoon 1987:110-1; Anderson 1977:5; Williams 1977:108; Morera 1990:168; Kincheloe and McLaren, 2000:283; Morton 2007:76; Thomas 2009:xviii,56,159) have duly credited the currency of the concept to him. In his *Prison Notebooks*, Gramsci interrogated and wrote extensively on hegemony, hence Thomas (2009:160) says Gramsci's contemporary fame rests and is synonymous with the idea of hegemony. A discursive gleaning of Gramsci's usage of this concept shows that hegemony resides in civil society, and its application is opposite to domination, which is mainly in political society (e.g. in Gramsci 1971:12,57; Forgacs 2000:195, Femia 1987). However, a deeper engagement with his interpretation shows how much ruling classes understand that besides coercion, their legitimacy can also be consolidated by deploying socio-cultural institutions in civil society. This questions a superficial reading of hegemony as simply diametrical to domination. In fact, Gramsci's concepts of hegemony and domination, coercion and consent are united in their distinction and thus should be viewed as dialectical rather than diametric (Thomas 2009:164). They imply each other in the sense that it is not possible to think of one without implying the influence of the other (Guha 1997:20).

The idea of hegemony has been written about quite extensively by later theorists (e.g. Anderson 1977; Sassoon 1987; Cox 1993; Arrighi 1993; Guha 1997Forgacs 2000; Strinati 2004; Morton 2007; Thomas 2009; Moore 2014). As the study discusses this phenomenon, it will become clear how Gramsci employed his usual inclination of dichotomising concepts in order to make their understanding easier. Thomas (2009:160) summarises four features that Perry Anderson flags as inherent in Gramsci's application of hegemony. These are that it denotes a strategy aimed at the production of consent, as opposed to coercion. Secondly, the terrain of its efficacy is civil society, rather than the state. Thirdly, the field of operation is "the West", the proper terrain of war of position[22], in distinction from "the East", which is suited for a war of movement. Lastly, that it can be applied equally to bourgeois and proletarian

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is counter-hegemonic. It follows that a counter-hegemonic entity proffers ideas aimed at developing an alternative social system.

[22] The wars of position and manoeuvre will be discussed later in this chapter.

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leadership strategies, because it is a generic and formal theory of social power. All these features indeed summarise the Gramscian explication of hegemony. However, its contemporary usage transcends some of the confines apparent in Anderson's portrayal. Later in this chapter, it will become apparent that confining the idea of hegemony to civil society or imprisoning its operational usefulness to "the West" impoverishes the concept.

But what is the concept's historical background? Gramsci adopted the theoretical usage of this concept from Lenin and Machiavelli. Lenin used its Russian equivalent, *gegemoniya* in most of his writings, especially in *What is to be done* (1902) where he discussed how the proletariat, allied with peasants, could assume a leadership or hegemonic role in bourgeois-democratic struggles against not only the employers, but also the Tsarist regime (Femia 1987:24; Anderson 1977:15-6; Lenin 1977:171). Anderson (1977:20) and Arrighi (1993:149) also argue that Gramsci reformulated and refocused Machiavelli's image of power as a centaur (half beast, half human) to explain hegemony. This image shows power as a combination of coercion and consent, where the former implies the use of force combined with threat and the later signifying moral and intellectual leadership. But as John Hoffman (in Moore 2014:107) and Thomas (2009:161) caution, it is wrong to think of coercion and consent as diametrically opposed and separate. Instead, they should be viewed as counterbalancing each other, blended and intertwined in their usage, composed of variations between force and willing assent; and subtle pressure versus sullen, sometimes almost unthinking acquiescence; and constituted by a multitude of alliances of classes and other social forces (Thomas 2009:165). What is key in Gramscian understanding of hegemony is that it is "characterised by combining force and consent, which balance each other reciprocally without force predominating excessively over consensus" (Gramsci 1971:80); and that their proper relationship "in reality involves more weight on the side of the former [consent]" (Thomas 2009:165). Gramsci (1971:80) continues:

> Indeed the attempt is always made to ensure that force will appear to be based on the consent of the majority expressed by the so called organs of public opinion – newspapers and associations – which, therefore, in certain situations, are artificially multiplied. Between consent and force stands corruption/fraud (which is characteristic of certain situations when it is hard to exercise the hegemonic function, and when the use of force is too risky). This consists of procuring demoralisation and paralysis of the antagonists by buying its leaders – either covertly, or in cases of imminent danger, openly in order to sow disarray and confusion in its ranks.

Gramsci used the idea of hegemony to emphasise the cultural and ideological depth

of leadership (moral and intellectual); and its resonance with social groups. Gramsci's usage of the concept distinguishes between political society and civil society in that hegemony is mainly, but not exclusively located within the realm of civil society, (churches, trade unions and the schools), while domination resides mainly but not exclusively in the realm of political society/the state (Femia 1987:25).

Hegemonic relations are not always linear as Anderson (1977:22) portrays. It will be argued later that there is always intertwining and interpenetration of civil society and its political counterpart both in structure as well as in empirical form. Thus, the linear relationships portrayed by Anderson (1977:2) (hegemony = consent = civil society versus domination = coercion = state) can sometimes undergo mutations and internal contradictions. In fact, Thomas (2009:163) argues that Anderson's understanding of hegemony as the antithesis of domination contradicts Gramsci's position, especially where Gramsci said a class is dominant in two ways – leading (morally/intellectually) and domination. Thomas' (2009:163) argument is that:

> Leadership-hegemony and domination are therefore conceived less as qualitatively distinct from one another, than as strategically differentiated forms of a unitary political power: hegemony is the form of political power exercised over those classes in close proximity to the leading group, while domination is exerted over those opposing it. Consent is one of the means of forging the composite body of a class alliance, while coercion is deployed against the excluded other. A class's ability to lead, to secure the consent of allies, however, also relies upon its ability to coordinate domination over the opponents of this alliance, just as its capacity to exert such coercive force depends upon its prior securing of the consent of such an alliance.

Therefore, what must we understand about the idea of hegemony as it relates to consent and coercion? It brings both these elements into play with different weighting at various times. At certain moments it manifests a "weak" meaning while at other times it bears a "strong" connotation. As Strinati's (2004:147) relatively "culturalist" take on Gramsci has it, the strong version of hegemony is:

> A cultural and ideological means whereby the dominant groups in society, including fundamentally, but not exclusively the ruling class, maintain their dominance by securing the spontaneous consent of the subordinate groups, including the working class. …this is achieved by the negotiated construction of a political and ideological consensus which incorporates both dominant and dominated groups.

This speaks to blending of coercion and consent, yielding very complex relations that have generated intense debates[23] not only amongst Gramsci's interpreters, but also political economists in general. Guha (1997:22) gives even more clarity on this by

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[23] An example of these debates is Thomas (2009:160-1) as he engages Perry Anderson's various writings on Gramsci's concepts, especially on hegemony.

arguing that it is precisely this mutuality between domination and subordination (and persuasion) (or coercion and consent) that distributes the constituent elements of hegemony in varying moments to give variations in power dynamics that different societies experience. Such power dynamics are then played out in relations between the state and civil society.

In interpreting Gramsci's conceptualisation of hegemony, Guha (1997:23) explains it as a condition of dominance, such that in its composition, persuasion outweighs coercion. However, Guha is quick to clarify that coercion does not outweigh persuasion to the point of reducing it to nullity, because to do so would mean that there will be no dominance, and consequently no hegemony. Thus, defined this way, "hegemony operates as a dynamic concept and keeps even the most persuasive structure of dominance always and necessarily open to resistance". This is a key argument that might be useful to explain the emergence and growth of counter-hegemonic movements in closed polities such as the one in Zimbabwe. It is also the basis why this study chose the notion of hegemony as an analytical tool to interrogate democratic struggles in Zimbabwe.

Hegemony becomes a process whereby dominant groups exercise or exert influence on the subordinate groups. What we see within this conceptualisation is that hegemony extends the influence and dominance of the dominant groups beyond the economic structure, to the political and ideological spheres. Consensual leadership by the dominant groups is achieved after a negotiated process that results in dominant groups conceding some ground to non-dominant groups, but only just. This creates economic conditions for the materially well off sections of the working class to accept their domination. Gramsci (1971:310) exemplified this tendency when he wrote about the Fordist ideology. The argument he presents is that coercion would have to be ingeniously fused with persuasion and consent, within forms that are attractive to the society in question. In Fordism, the higher remuneration offered to workers permitted them a particular standard of life capable of maintaining and restoring the strength that would have been worn out by new forms of toil in expanding capitalism. Even though tendencies such as Fordism come with their own set of contradictions, what is of essence here is to emphasise that some actions of dominant classes and their intellectuals are aimed at "buying" the acquiescence of the dominated classes in order to maintain their hegemony.

Gramsci (1971:57) develops the meaning of hegemony to typify a moment when

the supremacy of a social group manifests itself through domination and intellectual/moral leadership when he says:

> The politico-historical criterion on which our own enquiries must be grounded is this: that a class is dominant in two ways, namely it is "leading" and "dominant". It leads to the allied classes, it dominates the opposing classes. Therefore a class can (and must) "lead" even before assuming power; when it is in power it becomes dominant, but it also continues to "lead" (Gramsci 1996:136).

These words paint power relations in society as rendering themselves in two ways: firstly as domination of one social group by another, where the source of power is through force and coercion. Here, cooperative behaviour of the dominated classes is achieved through externally induced sanctions such as the threat to be arrested, beaten or denied social and economic services. Secondly, power can be exercised as intellectual and moral leadership, where a social group uses both state and societal institutions to lead. This later form of leadership is directed at allied classes and this is what Gramsci calls ideological hegemony. It is typified by the statements "It [the dominant social group] leads kindred and allied groups" (Gramsci 1971:57); and "it leads the allied classes" (1996:136). This insinuates an inherent transition. Different social groups are won over through hegemonic processes and become allied to the ruling class. When a social class assumes political power, it continues to lead kindred classes, but also begins to dominate opposing ones. As it dominates the opposing classes, it simultaneously provides leadership to both allied and dominated classes. This results in continuous winning over or co-option of some sections of the opposing classes.

Consequently, a social class that dominates other classes but still recognises the importance of appropriating their support becomes hegemonic. Here, cooperative social behaviour is obtained through providing moral leadership, and modelling elite goals as a common good that everyone in society should aspire to reach. This universal expansion of a class forms a historical bloc, signified by the integration of different class (and fractions thereof) interests and identity forms within a nationalistic popular alliance. However, this does not imply a clean, static and linear process towards the formation of this historical bloc. In fact, such relations are continuously crafted, contested and reconstructed (Morton 2007:97).

In instances where there is societal stability, it must not be assumed that such stability is because the interests of the subordinate groups coincide with those of the ruling class. Hegemony thrives upon granting of concessions that may be economic

or political in nature by dominant groups to subordinate groups. Several examples can be ventured here. Social welfare programmes, relative autonomy to exercise civil rights and freedoms, and periodic wage increments for workers are concessions that ruling classes normally grant to legitimise their leadership. Most of such concessions are peace-meal compared to the total accumulation realised by the ruling class. Of course there are instances when these insignificant concessions go so far as to bring economic and political instability, such as the gratuities given to war veterans in Zimbabwe in 1997, which led to a 75 per cent crushing of the country's currency, more about which will be discussed in the following chapters. Despite the above, subordinate classes in their various formations can negate a dominant *status quo* through the development of their organic intellectuals[24] who must elaborate a counter-hegemonic process, or what Williams (1977:113) calls an alternative hegemony.

The notion of hegemony is about leadership of one social class by another. The invocation of any form of state policy meant to buttress hegemony may generally benefit different social groups, but there is no doubt that it would benefit mainly the dominant classes as the group presiding over the distribution of state resources. Sassoon (1980:116) expounds on this:

> Undoubtedly, the fact of hegemony presupposes that account be taken of the interests and the tendencies of groups over which hegemony is to be exercised, and that a certain compromise equilibrium should be formed – in other words, that the leading group should make sacrifices of an economic-corporate kind. But there is also no doubt that such sacrifices and such a compromise cannot touch the essential; for though hegemony is ethical-political, it must also be economic, must necessarily be based on the decisive function exercised by the leading group in the decisive nucleus of economic activity.

The above should always be highlighted because the economic relationship between the dominant groups and the dominated is at the centre of ideological and political hegemony. The interests of the dominant group can only be successfully achieved to the extent that they incorporate some interests of the dominated groups. But in more cases than not, this integration is only done to assuage the antagonism of the dominated groups in order to avert conflictual moments, which are not in the best interest of both the dominant and dominated groups.

In summary, hegemony signifies the control by a social class of political and economic life in society through ideological and cultural means. While domination is achieved mainly through the coercive apparatus of the state, hegemony is primarily

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[24] Gramsci's idea of organic intellectuals will be discussed below.

achieved by means of persuasion, organisation and leadership, eliciting voluntary compliance from the dominated. This hegemonic authority, mostly ideological, is exercised mainly over the terrain of civil society, which is less coercive compared to political society. The state's policy making role balances the accumulation needs of the dominant groups (ruling class and capital) with the consumption needs of the middle classes, workers and the unemployed. However, hegemony is a phenomenon that wears thin at times, moving from one level to another, especially during times of economic crises when counter-hegemonic forces can capitalise by getting more organised than the ruling class, and offering a more coherent ideological and political alternative. It is this notion of counter-hegemony that the study examines next.

Hegemony and counter-hegemony.

Hegemony is not just an emotionless idea, it is a lived experience realised through complex relationships with changing pressures and limits (Williams 1977:112). At a theoretical level, it has to be continually renewed, recreated, defended and modified, since, in application it is continually resisted, limited, altered, and challenged by pressures coming from many different sectors. This suggests the possibility of a counter-hegemony. There are different strategies that can be adopted to challenge an existing hegemony. Of note are Gramsci's "war of position" and "war of movement/manoeuvre" (Gramsci 1992:219). With these two, Gramsci sought to analyse the experiences of the Bolshevik revolution in Russia in order to see what lessons could be drawn to complement struggles in Western Europe. He concluded that material conditions in Russia were different from those of Western Europe, and this had implications for the strategies that proletariats in Western European countries could employ.

Gramsci's analogy of war of position versus the war of movement are explained below because they have implications for the Zimbabwean case, where a counter-hegemonic civil society was developed, and adopted the war of position as its strategy.

War of manoeuvre or movement

Morton (2007:97-8) explains a war of movement as a rapid assault targeted directly

against institutions of state power whose capture would start a transitory process towards an alternative hegemony. A war of movement was adopted by the Bolsheviks in Russia, and involved a swift frontal attack and direct assault on the enemy's base with the aim of winning quickly and decisively. Of course it must be observed that the Bolsheviks already had ideological hegemony over some key social groups within Russia. This war of movement was a physical attack against centralised state power that was weak and exposed due to weaknesses of civil society (Strinati 2004:151). Thus, a crisis of hegemony ensued because a weak civil society, having failed to act as the dominant group's deputies, was unable to galvanise society to support the dominant classes. When Gramsci said "in the West, there was a proper relation between state and civil society, and when the state trembled, a sturdy structure of civil society was at once revealed" (1971:238), he was emphasising the difficulty of waging a successful war of movement against the state when civil society is strong and able to protect the state. Instead, a war of position might be the best strategy.

War of position

A war of position involves protracted and uneven ideological and non-violent political struggles targeted against the hegemony of a dominant group with the intention of substituting it with a counter-hegemony. Such a struggle is visible in the Zimbabwean case, and it becomes clearer as explained further. Morton (2007:91) defines a war of position as a struggle on the cultural and ideological front in civil society meant to overcome the "powerful system of fortresses and earthworks" in an attempt to penetrate and subvert the mechanisms of the system's ideology. A war of position requires massive sacrifice by those offering a counter-hegemony, and hence the requirement of an "unprecedented concentration of hegemony" within opposition forces to guard against internal disintegration (Gramsci 1971:238). This war of position, which develops a counter-hegemony, is exemplified by passive resistance, boycotts and formation of more oppositional groups. By its very nature, it is a cultural and ideological war that may also take both political and economic dimensions. It is usually long and drawn out, but those who engage in it should be aware of this and therefore be prepared for that eventuality. The nature of this kind of struggle is such that it is susceptible to defeats and reversals (Strinati 2004:152). If conditions become

necessary and possible, a war of position can graduate into a war of movement.

The basic idea of this war is to incorporate as soon as practicable major forces within civil society, hence its ideological and cultural orientation. The success of a war of position depends entirely on the balance of forces between the struggle for hegemony and that of counter-hegemony, and the strategic moment is when some fractions of the hegemonic group switch to the counter-hegemonic agenda. Once major parts of civil society have been won over by a counter-hegemony, it becomes possible to take over state power. The point of a war of position against dominance is to conquer, or win over institutions of civil society, or at least those that matter the most such as churches, schools, universities, mass media, trade unions (Femia 1987:52). A mere seizure of the state apparatus without conquering the way of thinking would be a futile exercise. It would be like destroying the outer ditch leaving the interior intact and ready to reverse the gains.

Foundations of a counter-hegemony must be built through strengthening the ideological thrust of subordinate classes and civil society because even after being conquered, the likelihood of defeated groups fighting back to recapture what they have lost remains high. Thus, subordinate groups need to elaborate themselves through the development of their own organic intellectuals to strengthen their newly found power.

Gramsci and Intellectuals

It should be noted, once again, how Gramsci employs the same strategy of interrogating concepts dichotomously, as he did with hegemony vs. domination (consent/coercion) and civil society vs. political society (integral state) in order to understand and analyse the idea of "intellectuals". According to him, intellectuals can either be "traditional" or "organic". Gramsci's notion of intellectuals in general is very broad, encompassing all those who exercise a "directive" and "organisational" role in economic production, science, culture or in politics and administration. This view broadens the conception of intellectuals to cover the "entire social stratum" that exercises organisational and educative functions in socio-political, cultural, scientific and economic fields (Gramsci 1971:56; Sassoon 187:134). This category includes not only thinkers, but also government bureaucrats, clerics, managers, technocrats, political leaders and organisers within social groups (Femia 1987:131).

As Gramsci interrogates the concept of intellectuals, two questions preface this engagement: "Are intellectuals an autonomous and independent social group, or does every social group have its own category of intellectuals?" and "What are the utmost limits of the meaning of the term intellectual?" (Gramsci 1996:199,200). It seems logical to begin with the last of the two questions. With it, Gramsci sought to understand if there was any methodological criterion to define or locate the position of intellectuals despite their disparate activities. In other words, is it possible to define what intellectuals are, and what exactly they do? In interrogating this question, Gramsci flags an error that hinders a proper analysis of this group. He observes,

> The most widespread methodological error … has been to look for the essential characteristics in the intrinsic nature of the intellectual activity rather than in the system of relations wherein this activity (and the group that personifies it) is located within the general ensemble of social relations (Gramsci 1996:200, 1999:139).

Gramsci attached a lot of importance in analysing social relations within societal dynamics, and saw no reason for the analysis of intellectuals to be abstracted from its contextual environment. It is impossible for a social group such as intellectuals to firewall itself against societal influences. To that end, an understanding of intellectuals should not be defined by their "intrinsic nature of intellectual activity", because, by their very nature, intellectual activities are disparate and differ too extensively to be grouped. Instead, they should be defined by "the system of relations wherein this activity and the group that personifies it is located" (Gramsci 1999:139; 1971:12). Thus, intellectuals can only be understood if their activities and functions are explained within class struggles that always define human interactions. If we understand intellectuals within this greater system of social relations, the next task would be to engage Gramsci's other question: "are intellectuals an autonomous social group, or does every social group have its own category of intellectuals?" The answer is to be found through interrogating the relational nature of intellectual activities to social systems. This requires us to disaggregate the idea of intellectuals into organic intellectuals and traditional intellectuals.

Organic intellectuals

Gramsci distinguishes organic intellectuals as the "thinking and organising element of

a particular fundamental social group" (Gramsci 1999:131). Organic intellectuals are distinguished less by their professional occupation than by their function in directing and crystallising the ideas of the class to which they belong organically (Gramsci 1971:1). This group is not autonomous and independent, but is linked diametrically to the social group whose interests it is meant to represent. Gramsci (1996:199) argues:

> Every social group coming into existence on the primal basis of an essential function in the world of economic production creates together with itself, organically, a rank or several ranks of intellectuals who give it homogeneity and a consciousness of its own function in the economic sphere: the capitalist entrepreneur creates along with himself the economist, the scientist of political economy.

Every social group develops within itself an intellectual stratum that engages in various intellectual activities, including organising the group, developing consciousness of group interests, and preserving its homogeneity. Thus, organic intellectuals organise in society to obtain the most favourable conditions for their group. Essentially, subordinate groups need organic intellectuals who do not interpret life simply from outside as demanded by scientific rules, but from inside with the benefit of their cultural knowledge and understanding of the language to express the real feelings, which the dominated would ordinarily not be able to express for themselves (Kalakowoski 1978:240). Organic intellectuals also play the role of reaching out to traditional intellectuals (see below) to interpret their case, and win their support, since any group that wants to win hegemony must develop the ability to conquer, ideologically, traditional intellectuals, and assimilate them (Gramsci 1971:10). Raymond Suttner (2005:117), in trying to show that a dictionary definition of intellectuals is very narrow and limiting, also frames his understanding of intellectuals in Gramscian terms. He argues that intellectuals "should be defined by the role they play", and the "relationships they have" with other people. Suttner further argues that intellectuals "create for a class or people… a coherent and reasoned account of the world as it appears from the position they occupy". They are central to a "process through which a major new culture, representing the world-view of an emerging class or people, comes into being". Consequently, intellectuals "transform what may previously have been the incoherent and fragmentary feelings of those who live in a particular class or nationally oppressed position, into a coherent account of the world".

Dominated groups can escape from their subordinate position and advance towards their own hegemony through assumption of a conscious responsibility, aided by

elaboration and absorption of ideas and personnel (Gramsci 1999:131). Within such a process, organic intellectuals perform different roles at different levels – a division of labour so to speak. While some may engage themselves predominantly with the production of ideas and plans of achieving their goals, others may engage at the level of organising masses, activism, and implementation of these ideas. It is mainly in civil society where these intellectuals operate (Gramsci 1971:56), but in political society too (e.g. state bureaucrats). It would be useful to interrogate if organic intellectuals in Zimbabwe have played this leadership role both in buttressing the current hegemony, and in providing a counter-hegemony.

Traditional intellectuals

Gramsci identifies traditional intellectuals as the other group making up the intellectual strata. The name suggests an activity and practice passed over generations. These are professional intellectuals in literary arts, religion, history, philosophy, science etc., whose position in society has an inter-class aura and conceals an attachment to various historical class formation processes. However, they derive their activities, nature and structure from past and present class relations (Gramsci 1971:3). In distinguishing traditional intellectuals, Gramsci (1996:199) writes:

> Every social group emerging into history out of the economic structure finds or has found – at least in all of past history – pre-existing categories of intellectuals that moreover seemed to represent a historical continuity uninterrupted even by the most complicated changes in social and political forms.

This category of intellectuals experiences continuity of its intellectual title and seem to have relative autonomy from dominant groups, and therefore can be conceived as a *relatively* independent social group (Gramsci 1996:200). The word "relatively" is emphasised to acknowledge that their autonomy and independence cannot be assumed since they too, cannot firewall themselves against the complex of social relations. Traditional intellectuals are usually conservative in their ideas because they represent the solidarity and continuity of their trade. They rarely divert from dominant trends, hence, in the absence of organic intellectuals, the general thinking and ideas that ultimately end up being institutionalised in social life are those that "serve the interests and reflect the experience of either the dominant group or the class that is

rising" (Femia 1987:132).

In summary, both organic and traditional intellectuals have a role at all levels of society. One can slip into and out of this role, depending on what society assigns. This is clear when Gramsci (1999:140) says "all men are intellectuals … but not all men have in society the function of intellectuals". One can distinguish intellectuals from non-intellectuals by the immediate social function of the person, and the direction in which their specific occupational "activity is weighted, whether it is towards intellectual elaboration or towards muscular-nervous effort" (Gramsci 1999:140). Every person, viewed from outside their occupational activity, engages in one form of intellectual activity or another, as organisers, persuaders, implementers and educators.

Interlocking Gramsci's concepts – The theory

Having interrogated the Gramscian concepts that underwrite this study, namely: the state, civil society, hegemony and intellectuals, what should logically follow is to discuss how, theoretically, these concepts interlink and interlock to mediate political processes in any given situation. This will help to show how they will be relevant in interrogating civil society – state relations in Zimbabwe, and other developing countries.

The state, through distributing resources and establishing policy priorities, is an institution of power (Chazan *et al* 1999:39). It is through both political society and civil society that the state is able to exercise this power, albeit unevenly and with different intensities. According to Gramsci, borrowing Machiavelli's conceptualisation of power as a centaur (Cox 1993:52; Gramsci 1999:315), the state leads society through two forms of leadership – domination and hegemony (Gramsci 1971:57). As earlier alluded, domination resides predominantly in the political society superstructure while hegemony is mainly propagated in civil society. Within these superstructures, organic intellectuals perform hegemonic and coercive organisational functions in both the superstructures of civil society and political society (Sassoon 1987:136). This is clearly articulated by Gramsci (1996:200) when he argues that organic intellectuals' functions are mediated by two types of social organisation:

> (a) By civil society, that is, by the ensemble of private organisations in society; (b) by the state. The intellectuals have a function in the "hegemony" that is exercised throughout society by the

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dominant group and in the "domination" over society that is embodied by the state, and this function is precisely "organisational" and connective. The intellectuals have the function of organising the social hegemony of a group and that group's domination of the state; in other words, they have the function of organising the consent that comes from the prestige attached to the function in the world of production and the apparatus of coercion for those groups who do not "consent" either actively or passively or for those moments of crisis of command and leadership when spontaneous consent undergoes a crisis.

This argument is an iterative process that places intellectuals (disregarding their gradation, and emphasising their organic nature) at the centre of processes of hegemony and domination. Through organisation (setting order, stability, persuasion, negotiation and disseminating specific ideas), organic intellectuals ensure that the hegemony of a particular social group is achieved, and concomitantly the group in question manages to dominate society.[25]

Thus far, what we can establish based on the discussion, and probably best stated in reverse, is that organic intellectuals are the corps that make the integral state (civil society + political society) function. Both civil society and political society are responsible for the maintenance and exercise of state (and class) power, through hegemony and domination. Civil society can also be the site where counter-hegemony is constructed. Both political and civil society assist in asserting and buttressing the supremacy of dominant groups, hence they both become the target of the state and ruling class' hegemonic appropriation (Chabal 1992:84). If we are to separate the political – civil society superstructures momentarily and concentrate only on civil society, we arrive at a conclusion that says organic intellectuals in civil society aligned to the ruling groups are preoccupied with perpetuating ruling class hegemony, albeit operating from outside the state. However, this will only persists until such a time when subordinate groups and their organic intellectuals become conscious that such hegemony is not really universal, but only an instrument for their perpetual subordination, and take steps to act against it. After all, as Guha (1997:23) incisively pointed out, hegemony is such a dynamic concept which keeps even the most dominant systems always open to resistance and challenge. At that point, a crisis of hegemony begins to assert itself, and thus a counter-hegemony develops.

Secondly, we also reach a conclusion that says where ruling class aligned civil society is strong, the hegemonic aspect of the state would also be strong since it will manage to convince people about the correctness of its ideas. The converse position

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[25] Intellectuals can also achieve the above by shaping societal discourses through various vehicles that include media, education, and associations, which moderate and alters modes of thinking.

is that where this section of civil society is weak; the ruling class' hegemonic side would also be weak.[26] Therefore, subordinate groups find themselves with two mutually inclusive options to reverse their domination. Firstly, they can find ways to weaken or undermine the strength of the ruling class aligned civil society that is responsible for constructing and strengthening its hegemony. This would hasten a crisis of hegemony and delegitimise the ruling class. The second option is that dominated groups can seek to construct and/or strengthen a counter-hegemonic narrative. Organic intellectuals drive both these processes. Thus, we invoke Gramsci's assertion that each social group coming into existence creates and elaborates within itself its own strata of organic intellectuals. It is therefore possible for subordinate groups to expand organic intellectuals within themselves whose purpose is to develop a counter-hegemonic narrative, adopting the war of position strategy discussed earlier.

The processes discussed above can never be easy and straightforward as outlined for various reasons. Firstly, dominated groups rarely possess the economic power necessary to engage in a dragging and energy supping war of position. Thus, they may be able to win the ideological and cultural aspect of the struggle, but without the kind of resources that the dominant groups have at their disposal, it might be difficult to assert lasting unity within the subordinate group. In some instances, such as in Zimbabwe between 1997 and 2013, international finance and solidarity has been sought to negate the resource challenge, but such a solution also comes with its own contradictions, some of which this study will interrogate. Secondly, it is likely that the ruling class, or the state, will elaborate its intellectuals and class ideas within civil society to win over or co-opt traditional intellectuals and certain sections of popular groups to decapitate counter-hegemonic civil society. This may help to resuscitate the dominant group's fading hegemony. Bayart (1993:155; 176) refers to this as reciprocal assimilation and observes that this molecular process contributes massively to the inter-penetration of civil society and political society. Indeed, it is through these cumulative spirals of assimilation that the dominant classes are able to produce and reproduce themselves, even though the degree and speed of this assimilation differs from one geographic/historical epoch to another. This shows that dominant classes are not stagnant groups, they shrink and expand, thus speaking to notions of class

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[26] At this moment this does not refer to the coercive apparatus, which may actually be activated because of the crisis of hegemony.

formation and hegemony construction.

This self-renewal also manifests itself when the ruling class creates its own civil society organisations once it has realised that the traditional civil society arena is becoming counter-hegemonic. This duplicitous act can also be done at an ideological level where ideas propounded by the counter-hegemonic group are attacked and made to appear porous. In Africa, notions of neo-colonialism and imperialism are forever invoked to weaken counter-hegemonic ideas as notions of the colonial past are unnecessarily brought back to burden the present. The challenge for the subordinate groups is to distinguish which amongst these notions and counter-notions articulate their real aspirations. In Africa, social classes are still underdeveloped, and the ruling class is so called not because it controls capital, but because it controls the state and uses it as a political and material apparatus to further its own corporate interests (Sklar 1979:537). These weak class dynamics are part of the weaknesses of the post-colonial states as argued by the Indian Subaltern Studies Group led by Rajanit Guha (and Partha Chatterjee) in his book *Dominance without Hegemony* (1997), more of which will be said later. The unevenly developed African state becomes the instrument not only for accumulation, but also a way to become the ruling class. As Fatton (1988:254) opines, "To be absent from the state is to be condemned to subordinate and inferior status". This underdeveloped nature of social classes means the intellectual strata would have much more relative power in the African state than is the case in capitalist countries. These issues will be expanded in the following chapters where field data will be used to analyse and understand the Zimbabwean socio-political context.

Conclusion

Raymond Williams (1977:114) observes that almost all political initiatives, even those that take manifestly alternative oppositional forms, are in practice tied to the hegemonic. Politics produces its own version of anti-politics, to twist James Ferguson's (1990) meaning. These alternatives may be variegated, but they feed from the existing culture for their sustenance. To that extent, it would be wrong to ignore the importance of a hegemony in creating its own alternatives, despite the limits and pressures that it might present for the development of such alternatives. Therefore,

this cautions us against the valorisation of analytic concepts such as hegemony and civil society, treating them as static concepts that are mono-directional, because they are not. Thus, civil society can work with the state, but it can also work against it, and sometimes both at the same time. The challenge that subordinate groups face is to develop real counter-hegemonic organisations with ideological and intellectual capital strong enough to negate their subordination.

The chapter has discussed important Gramscian concepts that underwrite this study. The intention was to interrogate the concepts in order to build a basis for examining contemporary politics in Zimbabwe. Our discussion has exposed the unavoidability of contact between the state and society, and the complexities it brings. This contact, which may either be progressive or retrogressive, happens both in political society and civil society. The discussion has also shown that both civil society and organic intellectuals do not have the full autonomy they may require to function as theorists envisaged. All these dynamics speak to relations between civil society and the state.

The interplay between domination and persuasion, and the strategies by the ruling classes to consolidate their influence in society will be exemplified by the Zimbabwe case elaborated in Chapters 5, 6 and 7, where the party-state sought to co-opt parts of civil society in order to spread its hegemony. However, before that, Chapter 3 provides several models of how the uneven civil society arena can relate to the state and its structures. It will give us a framework to assess the relations between the state and various civil society organisations in Zimbabwe.

CHAPTER 3
STATE – CIVIL SOCIETY RELATIONS: THE POSSIBLE, THE ALTERNATIVES, AND THE PREFERRED

Introduction

This study acknowledges that civil society, defined as the realm of non-state societal organisations, operates in an environment that is moderated, and most often, imposed by the state and capital. In fact, many definitions of civil society emphasise its proximity to the state. Archer (in Lewis, 2001:45) opines that the concept of civil society is based on the idea of an interdependent organic relationship between the state, the market, and civil society. Najam (2000:378) prefers to use the words "the prince", "the merchant" and "the citizen" to refer to the same institutions and to emphasise the connections they share. Lewis (2001:46) argues that there is a "virtuous circle" between the market, civil society and the state in that a productive economy and a well-run government will in turn produce and sustain a vigorous civil society, and a vigorous civil society will support economic growth, and a well-managed economy and a strong civil society will produce an efficient government. Such linear reasoning, and its inherent flaws, explains the dominance of aid conditionality in developing countries by the West precisely geared towards the development of an admired liberal democracy in the form of good governance practices, rule of law and respect for human rights (Hearn 2000:817). As Lewis (2001:46) observes,

> These conditionalities required a competitive, largely privatised market economy, a well-managed state (with good education and healthcare, just laws and protected human rights, and sound macro-economic planning) and a democratic 'civil society' in which citizens had rights as voters and consumers so that they could hold their institutions accountable. The conditions also required a free press, regular changes of government by free election, and a set of legally encoded human rights.

This approach encouraged the development of a post-colonial civil society resourced mainly by donors. This is not to say the aid phenomenon is wholly responsible for the contemporary ubiquity of civil society organisations. On the contrary, and as Klandermans (2001:270) notes, it shows that movements come into being for variegated reasons, including the fact that people may be aggrieved, or that they have the resources to mobilise, or the desire to seize the political opportunity provided by the prevailing conditions. In Zimbabwe for example, we see that since the 1990s the continued encroachment by the state on people's freedoms through

political, legal and other restrictions has spurred the emergence of an emboldened civil society that has received unprecedented amounts of resources (whose real magnitude will never be known[27]) from the international community. In 2009, Zimbabwe received US$253,305,882 from USAID. Of that amount, US$16m was directed towards governance and civil society organisations (USAID 2017). This is from just one of the many organisations that were providing aid to Zimbabwe at the time. Between 2000 and 2013, the civil society sector grew exponentially because it was heavily funded by various foreign donors. Its growth concomitantly fashioned various relationships between that sector and the state. More so because this was in the context of a global push towards political liberalism in the post-cold war era, which sought to reduce state involvement in the socio-economic sector of the country. What came out of it is characterised by Moore (2016:206) as the pitfalls of combining economic liberalism and political democracy.

This chapter will briefly discuss several models of state – society engagement in a quest to find the most appropriate framework that can be adapted to analyse state – civil society relations in Zimbabwe. However, as Sachikonye (1995a:10) notes, civil society is not easy to demarcate. Its conceptual ambiguity makes it difficult for theorists and students of politics to agree on appropriate relations that the state and civil society should and can develop. Consequently, relations that develop become a corollary of the (pre)conceived perceptions of each other's existence. For example, the state can share cordial relations with societal organisations that buttress its hegemony, and develop adversarial relations with others whose objectives are perceived to be antithetical to its own. These contradictions subsisting in the conceptualisation of civil society make it even more difficult to calibrate and explicate our understanding of civil society – state relations. However, there are several models that can be used to make sense of these relations. It is to them that we turn before we can analyse state – civil society relations in Zimbabwe, and how such relations have mediated processes of democracy.

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[27] The amount received from USAID may give an indication of how much aid flows into the country. In 2009, Zimbabwe received US$253,305,882 from USAID, which is the year the country received the highest amount. US$16m of that was directed to governance and civil society. This is from just one of the many organisations that were providing aid to Zimbabwe at the time. By November 2017, Zimbabwe had received US$138,427,078 from the USAID for that year (USAID 2017).

Different possible relations between the state and civil society.

Different modes of engagement between civil society organisations and the state foster particular and specific state – society relations (Najam 2000:375). This is a contentious subject, which is premised on a clear division between the state and society. It might be important, for the moment, to accept this artificial separation of the two in order to better interrogate the relationship. State – society relations can be conceptualised as interactions that take place between state institutions and societal groups to negotiate how public authority is exercised, and how society in general should participate in that process. State – society relations can either be cooperative, confrontational, or violent contestations. The basis of such an elastic assertion is that the state and society are always engaged in resolving complex issues such as defining and delimiting the rights and obligations of both the state and society, negotiating how public resources should be allocated amongst competing expectations, and establishing different modes of representation and accountability (Department for International Development [DFID] 2010:15). Such negotiations may result either in agreements or disagreements, culminating in an increase or decrease of the distance between state and civil society.

Processes of influencing each other between the state and the non-state are rarely clean and straightforward. As Najam (2000: 381) asserts, "what happens in practice is some kind of interpenetration – a blending in which the so-called governmental and non-governmental meld together" resulting in actions and reactions, partnerships and antagonisms defining the polity. One of Gramsci's most penetrating arguments emphasises that civil society is the arena where cultural and ideological hegemony is contested, where all the dynamics of identity formation and hegemonic construction take place, and where a wide range of organisations and ideologies challenging or upholding the status quo are found (Femia 1987:24-6; Paffenholtz and Spurk 2006:4; Augelli & Murphy 1993:129). When the state and civil society come into contact, most often it is the ruling class' influence that is exercised. However, equally ready to be heard are those not yet in, but wanting to be part of the ruling class, who make up the counter-hegemonic bloc (Ncube 2010). As will be discussed in Chapters 6 and 7, in Zimbabwe, these contestations are rarely about ideology, but mostly about access to power and resources. Because national resources are often inadequate, in most cases the distribution of these resources by the state will always favour some groups over

others (Marc, Willman, Aslam, Rebosio and Balasuriya 2013:29). Hence the more desire by many for wanting to be in control of, or have access state power. This may partly explain the ballooning of the civil society sector in developing countries. This expansion naturally has led to an increased interest in conceptualising state – civil society relations. Activities that NGOs engage in often determine relations that subsequently develop between the state and civil society.

Functions of Civil society

Marc *et al* (2013:31) remind us that because the state is a constantly evolving social actor, a variety of interactions between the state and society can be envisaged. States can prey on some social groups while also collaborating with others. An authoritarian state can actually squeeze out civic space to suffocate civil society organisations that are a threat to its legitimacy. The role that civil society organisations play in society and the way the state interprets these roles is what shapes civil society – state relations. Lewis (2001:68) and Lewis and Kanji (2009:12) simplify civil society roles to three functions. These are: implementers, catalysts or partners in development. As *implementers,* organisations engage in mobilising resources from both state and private sources and use whatever they acquire to provide goods and services to deserving communities. In other instances, some societal organisations are actually contracted by the state to implement social programmes and projects. Civil society can also be a *catalyst* (an agent that helps to bring about change or progress) and its function will be to "inspire, facilitate or contribute to improved thinking and action to promote change" (Lewis and Kanji 2009:13). This catalytic role is capable of eliciting any type of response from the state as it has potential to promote and legitimise the government on one hand, but equally to delegitimise it. As *partners*, organisations work together with state structures or the private sector to bring about development to communities. Even though within this role, civil society – state relations can range from cooperation to adversarial, the pendulum swings more to the cooperative side as the "role of partner reflects the growing trend for NGOs to work with governments, donors and the private sector on joint activities" (Lewis and Kanji 2009:13).

Paffenholtz and Spurk (2006:8-13) identify seven basic civil society functions. These functions, discussed below, force the state and civil society to interact. The

outcome of that interaction elicits anything between a cooperative and a confrontational engagement.

i. *Protection of citizens:* This function is when civil society organisations protect citizens and their property against state despotism, or other threats. The premise of this role is that citizens have rights and freedoms, and these should be protected primarily by the state. When the state fails to perform this duty, or when it becomes an overbearing state violating those rights and freedoms, civil society organisations feel obligated to protect society by diffusing power away from state thereby protecting people's freedoms.

ii. *Monitoring accountability*: This role, mostly responsible for placing civil society and the state on a collision course, consists of monitoring the activities of the state and its institutions, as well as holding such institutions to account for their (in)actions. This thinking is an extension of Montesquieu's principle of separation of powers in the state, where one institution performs a task and another assesses that performance.

iii. *Advocacy and public communication*: Civil society can also be tasked to magnify and escalate marginalised voices. It is this articulation of issues by civil society that often leads to either confrontation or cooperation between the state and civil society. This Habermasian function has helped bring to public discourse issues that state functionaries ignore (Paffenholtz and Spurk 2006:13). For example, in the mid-1990s, civil society actors in Zimbabwe brought to the public discourse constitutional debates that the government of Zimbabwe had ignored since attaining independence.

iv. *Socialisation*: Citizens develop democratic attributes and practices by associating within and amongst their organisations. They learn to develop tolerance, trust and the ability to find compromise while at the same time developing leadership capacity. Interpersonal interaction, which is common in associations, plays an important role in shaping and molding one's behaviour. Equally visible is the usefulness of civil society in leadership and capacity development. It is not by accident that many political leaders have emerged from civil society.

v. *Building communities*: Engagement and participation have the advantage of strengthening bonds and group solidarity amongst citizens. Social capital is

enhanced. In most cases, social groups are interracial, of mixed gender, inter-ethnic and various ages, consequently, through organisation, social cleavages such as ethnicity, sexuality and racism are negated.

vi.   *Intermediation and facilitation between citizens and the state*: Maintaining a balance between the state and society is a complex process. A balance of power can be achieved if societal groups, instead of individual citizens, negotiate with state structures. To this end, Warren (1999:5) argues that associations have a tendency to draw individuals out of their natural forgetfulness of the broader society that sustains them, thus inducing citizens to contribute to the public interest within broader societal interests. Individualism and egocentrism can be reduced when social groups engage the state as a collective, though it equally has disadvantages of its own, not least being the idea of driving the state towards particularistic as opposed to universal interests.

vii.   *Service delivery*: This function applies mainly to service NGOs, and is common where the state has retreated on public service provision. The service delivery role can serve to delegitimise the state especially if the state's incapacity is exposed, and can become a source of confrontational relations between the state and civil society. But this role can also serve to legitimise the state, especially where NGOs have substituted for the state by providing goods and services that are traditionally supposed to be provided by the state. The state then benefits from free-riding on the back of NGOs, as in what Moyo (2013) and Moore and Moyo (2018) found in Zimbabwe where NGOs used state structures such as schools, health centres and local government expertise to assist communities who then assume that the state is responsible for the services received. In a way, this substitutive role exonerates the state from being accountable. In many countries (e.g. South Africa) nonprofit organisations and civil society organisations are continuously being contracted by governments to provide services to citizens on behalf of the state (PARI [Public Affairs Research Institute] 2016: 31, 73).[28] However, as Young

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[28] In 2016, more than 140 mentally ill patients died in the hands of NGOs that had been given a responsibility to look after them by the Gauteng Provincial Government. Indications are that some of them died because of starvation, while others due to the lack of medication. This is despite the fact the NGOs had been paid by the Provincial government to look after them. At the time of writing, an enquiry

(2000:152) notes, privately supplied goods and services are always an imperfect substitute for public services because they lack sustainability since most are supplied on a voluntary basis, and their continued availability cannot be assumed.

Warren (1999:17-25), writes about civil society's role in good governance and democracy (and the skills it develops in people). He suggests a number of functions, which he groups under three clusters. These clusters – the *developmental effects on individualism*, *public sphere effects*, and the *institutional effects* are discussed below.

a. Developmental effects on individualism.

Within developmental effects, Warren lists five different capabilities that civil society builds for individuals: efficacy or political agency; provision of information; political skills; capacities for deliberative judgment; and civic virtues.

Efficacy:

This is the feeling that one could have an impact on collective actions, defined by self-confidence that is a prerequisite for action, and the habit of doing something about problems identified in society. Civil society can be credited for training individuals to be assertive agents for development.

Information:

Associations always serve as conduits for information that provides an alternative to that supplied by the state and the market. With information citizens are able to demand accountability, transparency and effective government institutions. Warren (1999:18) says when civil society organisations monitor governments and other powers for compliance with agreements, laws, and international conventions, they provide what is called an "epistemic division of labour" without which individuals will be overwhelmed by the complexity of information they receive. As an example, constitutional oriented organisations would be of utility on complex issues that require a trained legal mind. So would be the case with other specialised fields such as medicine, technology, and engineering. Voluntary organisations staffed with specific

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was underway to determine who exactly should take responsibility for the deaths. For more see Makgoba (2017), ENCA (E News Channel Africa [2017]).

expertise would assist in interpreting issues that the state and market might wish to hide in semantics and technicality.

Political skills:

These are the skills acquired by individuals as they engage in internal organisational politics of a particular association as well as others transferred from other sites through involvement with the association. Such skills may include public speaking, self-presentation, negotiation and bargaining, coalition building, problem solving, learning when to and when not to compromise. Activists also learn to recognise when one is being manipulated, pressured or threatened and how to respond to the same.

Civic virtues:

This republican expectation involves inculcating values such as attentiveness to the common good, tolerance, trustworthiness, and virtues of being a good listener and respect for the rights of others as well as developing law-abiding citizens. But equally so some uncivil virtues have been developed by organisations in civil society. These would include religious fundamentalists, exclusionary and inward looking ethnic and racial organisations.

Critical skills:

Proponents of democracy argue that the development of civil society builds pluralism of both ideas and associations, and hence in the process "…inducing individuals to reflect on their own interests and identities in relation to those of others" (Warren 1999:19). Such is the development of critical reasoning that goes beyond one's immediate interests. It is deeper than just sharing information and developing political skills. It involves deliberation, introspection, and evaluating situations in a broader and interconnected way.

  b. *Public sphere effects.*

Warren's second cluster of functions are called the public sphere effects. This is visualised as a space of public judgment supported by the associational structure of civil society which is distinct from the family, state and market. Three capacities are identified. The first is called *public communication and deliberation*. This is when

associations play a key role of communicating matters of public concern to government, the market as well as internationally. Cohen and Arato say through this way, civil society organisations become intimately connected to their membership and people on the ground (in Warren 1999:20). This is achieved through "language" as opposed to states that will do so through "power", or markets that communicate through "money".

The second function within the public sphere is what Warren (1999:21) calls the *representation of difference*, where civil society organisations engage in activities that do not directly contribute to deliberation, but more to alter parameters of public conversation. Because silence often benefits the wealthy and powerful, public arguments often serve as "…primary means through which the poorer and weaker members of society can have influence" (Warren 1999:21). It is often considered as an achievement by some organisations to have an issue placed in the public domain even if no action is taken, because "… the influence of the wealthy and powerful is compromised to the extent that their positions, possessions, and actions become subject to public tests of legitimacy" (Warren 1999:21). Additionally, actions such as demonstrations, civil disobedience and theatre have been used symbolically to convey strong messages. These are symbolic gestures in the sense that authorities can easily ignore them, as they have in authoritarian environments, but have worked in many other instances.

The third public sphere function Warren identifies is what he calls the *representation of commonality*. Issues that emphasise commonality such as the universal fight against poverty, gender equality and human rights have worked wonders in harnessing public power towards finding sustainable solutions. This has been achieved through emphasising inclusive membership and shared commonality within humanity. Such approaches inject into the public realm "…common claim to membership" (Warren 1999:22).

c. Institutional effects

The third cluster of civil society functions that Warren (1999:22) identifies are the institutional effects. These are roles that enable societal organisations to contribute towards good governance through representation and resistance, as well as coordination and cooperation. Under representation, civil society organisations speak

on behalf of their membership as a block. Their voices carry more weight and are bound to make more progress while using resources more wisely. However block representation may also impact negatively on the less powerful organisations who may not have the resources and skills to organise into powerful blocks that have the capacity to challenge the *status quo*. Contrary to Warren's (1999:23) idea that time and commitment are the most important resources in civil society, it is the availability of financial resources that precedes everything in building strong associations.

The above civil society functions are capable of eliciting different, sometimes contradictory responses from various state institutions. For example, one state institution can gladly welcome monitoring from one civil society organisation, but frown upon the same request from another organisation. It is also possible that different institutions within a single state (e.g. the police, the courts, parliament, different ministries etc.) can share different relations with one civil society organisation. This attests to the complexity of state – civil society relations.

The functions discussed this far inherently lead to the development of relationships. The next section benefits from the preceding as it contextualises state – society relations likely to ensue when these actors engage as detailed above.

Discerning civil society – state relations.

When civil society organisations and the state work within the public policy realm, their respective goals, priorities and resources collide - sometimes in harmony, at times in discord (Najam 2000:379). This constructive, sometimes destructive tension must and will occur when these institutional actors interact.

Several theorists have characterised state – society relations in different ways. Bratton (in Englebert and Dunn, 2014:122) contends that interactions between the state and civil society have invited state responses ranging from monitoring the sector, coordinating its operations, co-opting some members of the sector, and even going to the extent of triggering dissolution mechanisms. The state does all this as part of strategies aimed at neutralising the autonomy of civil society. Clark (2002:507) argues along similar lines that the state's position towards civil society can either be non-interventionist, encouraging, offering partnerships, seeking cooptation, outright controlling, or even deregistration.

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Young (2000:150-7) identifies three major relationships that can develop between the state and civil society. He sees these as either supplementary, complementary or adversarial, and locates them within economic theories because they develop in relation to the commercial activity of allocating and distributing goods and services. For example, in a supplementary relationship, civil society helps meet the demand for public goods that the state cannot meet. The complementary paradigm sees civil society as a partner to government in helping to deliver goods and services largely paid for by the state. The state and civil society organisations both contribute financially to the final product delivered to the communities. In an adversarial relationship, organisations in the civil society sphere prod the state to make changes in public policy, or force state actors to think in a particular way.

Participation in public policy formulation is probably civil society's most crucial task. Its fundamental objective is to influence public policy from outside the formal structures of the state, in the process representing ideas that are outside the interests of the ruling elite (Najam 2000:380). Similarly, the state also attempts to influence civil society actors to see things from its perspective. Substantial literature on civil society – state relations tends to examine how the state relates to civil society, and rarely about how civil society engages the state. Such a view is not value neutral as demonstrated above. It assumes the predominance of one (usually the state) over the other. This is clear when terms such as monitoring and coordinating (Englebert and Dunn 2014:122), controlling and deregistering (Marc *et al* 2013:31), supplementary or complimentary (Young 2000:150), supportive, facilitative, regulative and repressive are used to analyse state – civil society relations. Even more conspicuous of this tendency is Bujra and Buthelezi's (2002: xii) assertion that "Democracy advocating CSOs [civil society organisations] have a chequered history in their relations with governments. Governments tend to be hostile towards these CSOs who [sic] in turn tend to be confrontational in their relations with governments". This statement assumes a one-way hostility approach and an equally uni-directional confrontational response. This kind of analysis presupposes a dominant role played by one side (the state) and an inferior and reactive role played by the other (civil society). This may be true in some instances, but it certainly cannot be the case with the majority because of the mutuality in civil society – state interactions. In developing countries, states realise civil society's importance, such that an effort is made to consult *some* players in civil society before passing policy. It is the level and degree of consultation, and the

representativeness of those consulted that may be in question.

Some conceptualisations of state – civil society relations heavily rely on formalised engagements between organisations and the state as evidenced by the usage of concepts such as deregistration and regulation, presupposing formally registered organisations. Where a civil society organisation is not formally registered with any state body, there could be no deregistration to talk about.[29] Even though such one-sided models can still be useful, their weaknesses compromise their utility for analysing civil society-state interaction.

Najam (2000) provides a more comprehensive conceptualisation, known as the Four C's Model, which examines state – civil society relations from both sides. The model is discussed below.

Conceptualising Najam's Four C's Model

Within the Four C's Model, all state – civil society interactions can be reduced to a question of *ends* and *means*. When these institutional players get into contact, it is their goals and means of achieving their respective objectives that define how they react to each other in the policy realm. The model views civil society – state relations as confined within the parameters of either *cooperation*, *co-optation*, *complementarity* or *confrontation*. This framework argues that the nature of state – civil society relations are best explained through complex strategic institutional interests of both the state as well as specific civil society organisations rather than determining relations on factors such as whether the state is autocratic, democratic or authoritarian. Neither should that determination be made on the basis of whether the economic ideology is liberal or controlled (Najam 2000:376). This seems to weaken, and rightly so, what Rothchild and Lawson (1994:259-270) proposed to be the best process to assess the routines of interaction between the state and civil society (in Africa), which is to look at the extent of state control over society – state interactions and the nature and extent of societal incorporation into the public realm. In short, Rothchild and Lawson's argument explains state – society relations through understanding the regime (either majoritarian

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[29] In other countries such as Zimbabwe, there are organisations that exist under what is called Common Law Univesitas. This is when a formation is recognised as a legal entity on the basis that it has a membership that is governed by a constitution and carrying out activities for the benefit of the said membership. No formal registration with a state entity is necessary.

democracy, pacted democracy, state corporatism or state populism) under which civil society operates. The weakness of their deductive argument is that they treat civil society as homogeneous, and assumes that if a state is democratic, or populist, it will relate to all civil society players in a uniform way. They ignore the organisations' objectives completely.

This is where the strength of Najam's (2000) model lies. The model develops from the strategic institutional interests of both the non-state sector and the state. It starts from a premise that the two operate within the same realm of policy-making to articulate and actualise their goals and interests. Hence, for any given issue, the goals of the state and civil society will either be similar or dissimilar, and each institutional player will also have certain strategies and tactics, or means to follow in order to fulfill their goals. As they interact in the policy domain, one of the following four possible combinations will result:

i.   Seeking similar ends with similar means, the relationship will be that of *cooperation*.
ii.   Seeking dissimilar ends with dissimilar means leading to *confrontation.*
iii. Seeking similar ends but preferring to adopt dissimilar means/strategies, the relationship developed takes a *complementarity* form, and
iv.   Preferring similar means but for dissimilar ends resulting in one being *co-opted* by the other.

The model is depicted diagrammatically below:

Figure 3: Najam's 4Cs model

Source: Najam (2006:383)

Cooperation

Cooperation occurs when, on any given issue the state and civil society not only share

similar policy goals, but also agree on the strategies to be followed in order to achieve them. Both the preferred ends and the strategies need to align such that both institutional players gain through collaborating (Najam 2000:384). Since the goals and means are shared, continuous consultation and coordination is common. This explanation supports the view that civil society should not be seen only in antagonistic terms, but also as capable to sharing a symbiotic relationship with the state. It is possible that the power dynamics within this co-operation and collaboration mode might favour one player over the other, but both players would have taken a conscious decision to cooperate, and benefits are likely to be mutual. Moreover, cooperation and collaboration do not presuppose a balanced power matrix (Najam 2000:384).

There are various examples where civil society organisations and state institutions cooperate because they realise that they have the same goals, which can be achieved by using similar strategies. Situations where welfare NGOs are contracted by the state to provide services on its behalf would be a perfect example. Such cooperative behavior would not be possible if either the state or the NGO conceive their goals or the strategies being pursued by the other to be antithetical to its own (Najam 2000:385). In Zimbabwe, one can characterise the relationship between the state and the Zimbabwe National Liberation War Veterans Association (ZNLWVA) with regard to land redistribution and indigenisation policies between 1998 and 2014 as approximating cooperation, even though their relationship did experience ructions occasionally.

Confrontation.

The Four C's Model conceives "confrontation as encompassing not just acts of coercive control by government but also policy defiance and opposition" by civil society actors (Najam 2000:386). This kind of relationship develops when both the state and the civil society organisations perceive each other's goals and strategies as antithetic. Both the ends and the means are divergent and different. Even though more recent literature portray increasingly cordial relationships between the state and welfare oriented civil society (see Lewis 2001; Michael 2004; DFID 2010; NANGO 2013; Moyo

2013),[30] it remains true that governments and human rights oriented civil society often find themselves in adversarial relationships either on an almost permanent basis or on specific issues (Najam 2000:385). The state has an advantage over civil society actors in that it possesses, and often willing to deploy its coercive forces such as the police, army and other quasi-state organs (such as youth leagues and militias) for repression and harassment. On the other hand, some civil society organisations are also ready to confront the state through their own tools of engagement such as demonstrations, stay-ways, marches and withdrawal of political support.

An example of this kind of relationship would be how the Zimbabwean state interacted with the National Constitutional Assembly (NCA) from its formation in 1997 up to the time it transformed to become a political party in 2014[31]. Even though the NCA and the state both wanted a new Constitution, the NCA wanted what it called a people driven, democratic constitution. It perceived the state's Constitutional Commission process as undemocratic, and hence likely to produce a Constitution that was not mass driven or responsive to the needs of the masses.

Complementarity.

Complementarity is likely when civil society organisations and the state share a similar goal but prefer to adopt different strategies to achieve this goal. In most cases these strategies may not be oppositional or conflictual and therefore the probability of working together remains very high. Several studies view complementarity as when NGOs perform and provide social services in order to assist or complement what the state does (e.g. Coston 1998:363; Young 2000:150; PARI 2016). On complementarity, the model rejects a one-way resource flow (i.e. only civil society complementing the state) and instead views complementarity as an "interest-based means-ends model, where ends are being complemented much more than means", since in reality, goals are more important than means (Najam 2000:387). If the goals of both the state and civil society organisations are similar, they are likely to gravitate towards an arrangement where they complement each other in order to achieve the goal even

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[30] Movement towards increased cooperation between civil society, donors and the state was also underscored by many interviewees during fieldwork. Between 2009 and 2014, most of the international assistance directed to Zimbabwe was channelled through United Nations agencies to organisations that worked closely with state structures.

[31] More about the NCA will be discussed in Chapter Six.

though they are using different strategies. It is also likely that complementarity can transmute into cooperation if the strategies of the two institutional actors narrow their gap. Humanitarian organisations that distribute food or other resources, are likely to fall into this category. Labour unions at one level can also be viewed as complimenting government by bring order and sanity in the work environment – ensuring that negotiations with employers, including the state, are structured and that union members are disciplined by their union codes to ensure peace and order in the workplace.

Co-optation.

A "co-optive relationship is likely" if these two institutional actors "share similar strategies but prefer different goals" (Najam 2000:388). A common perception amongst scholars (e.g. Bratton in Englebert and Dunn 2014:122; Clark 2002:507) is that when the state and its institutions influence civil society actors, the state co-opts the organisations. On the other hand, as Najam (2000:388) notes, if a civil society organisation succeeds in influencing the state or any of its structures, "catalysing" is the term adopted (e.g. in Lewis 2001:68; Lewis and Kanji 2009:12-3;97). Being a catalyst carries with it positive connotations, while co-optation suggests negative influence. Co-optation is really about changing another's preferences about particular ends and means. It is a fact that "NGO activists are no less desirous of converting government agencies to become more like them than government bureaucrats are of doing the same to NGOs" (Najam 2000:388). Accordingly, when one actor manages to convince or win over another within the marketplace of ideas, as long as the tactics used are not questionable, this would be a legitimate process. However, in most cases the process of co-optation happens when there is a disequilibrium in power dynamics, with one actor wielding excessively more power over the other. But it should not be assumed that the state always wields more power because sources of power vary. They may be political, financial, epistemic, coercive or ideological (Najam 2000:389).

Co-optation, if stretched, "could linger into mutual manipulation, turn into outright confrontation", or to cooperation (Najam 2000:389). The power dynamics at play will determine which of the two institutional players "gives-in or gives-up".

Critique of the Four Cs Model.

Najam's model is helpful in analysing state – civil society interaction because it does not approach the non-state sector as a player entirely at the mercy of the state. The strength of the model is that it examines the resultant relationship from the position of both sides in order to examine whether institutions are co-opted or ideologically influenced in the Gramscian sense to cooperate or collaborate. The decision to be cooperative or confrontational is ultimately a strategic decision that each particular institutional player has to take. Sticking with our earlier example, if war veterans in Zimbabwe decide to work closely with the state and its institutions, they make such a choice after an assessment of the benefits such a strategy would bring compared to alternative strategies. Similarly, the Crisis in Zimbabwe Coalition's decision to engage and collaborate with the state in the 2010-2013 constitutional-making process,[32] but not in other state-led programmes was a strategic decision taken after a cost-benefit analysis. Framing and examining organisational decisions through this rational choice perspective can help analysts and observers to understand the kind of relationships that develop between these actors dispassionately (Hechter and Kanazawa 1997; Caplan 2006). Other studies (Young 2000; Lewis 2001; Clark 2002; Lewis and Kanji 2009) approach the debate about state – civil society relations as if only the state defines the space and breadth of civil society action. The Four C's Model accepts that the "attitude" of the state towards the "voluntary sector is extremely important", but it also argues that:

> Even where government is the dominant and dominating institutional player, the ultimate nature of this relationship is a strategic institutional decision made by both the government and the NGOs in question. One party, often the NGO may have fewer options to play with in reaching its decision, but its very choice to stay in the game is in itself a strategic decision. After all, when they chose to form the relationship – whatever it may be – both the government and the NGO are acting as consenting adults (Najam 2000:390).

Aside from the fact that not all state – society relations can be examined using the lenses of the Four C's model, two other weaknesses seem to manifest themselves. One of them is its assumption that only one kind of relationship can be held at any particular moment. Simultaneous relations – such as confrontation and cooperation happening at the same time – are possible. While publicly a civil society organisation may appear to be in a conflictual or adversarial relationship with a state institution,

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[32] This is expanded in Chapter Six.

behind closed doors there may be relations that signify deep cooperation, and vice versa. This is certainly what Moyo (2013) found while interrogating state – NGO relations in a rural district in Zimbabwe (Also Moore and Moyo 2018). Despite rhetoric to the contrary, these studies found that bureaucrats within state structures shared cordial relationships with their counterparts in the NGO community. In developing countries, people who staff the state bureaucracy and those heading or staffing civil society organisations are often peers with previous connections, such as having been together at school, university or coming from the same rural villages.

The Four C's Model also needs to appreciate that the means–ends test may not be an objective process. What one actor may conceive as correspondence or divergence in goals and means may actually be a wrong perception based on misreading reality. Hence, confrontation between actors may arise not because the means or ends do not cohere, but because the interpretation has not been correct. It could be a relationship predicated on a wrong means-ends test. Lewis's (2001:150) argument that political factors influence government's perspectives and attitudes towards civil society organisations and not an analysis of such organisations' actual and potential contribution to society can equally be flipped to describe civil society's attitude towards the state. Allowance, therefore, should be given to accommodate subjectivity both in interpretation of and in analysing the relationships.

Most important though is counsel given by Najam (2000:391) which this study accepts. It says the key to the construction of the model is the notion that civil society – state "relations are best understood at the level of particular issues" and specific organisations. Organisations and institutions operate in different environments, are motivated by different ideologies, are driven by reality and different levels of rationality, therefore they will act in the best way they can, given what they think the situation demands. Generalisations at the level of sectors, dominant ideologies or perceived organisational functions may not be useful. Therefore, in order for us to understand civil society – state relations deeply, we must examine the complementary, contradictory, reciprocal and symbiotic aspects of the relationships (Dorman, 2001:50). This can be achieved by examining how specific civil society organisations come into being in relation to the state historically. An understanding of how specific civil society organisations come into being is an important question, and if it is not answered, true reflections of the relationships cannot be adequately explained. Buthelezi (2002:36) captures this idea eloquently:

> If we conceptualise the political struggle as a protracted and complex process, we capture the historical importance of the formative period: the qualitative ideological and organisational factors that enable the political organisation to gain allegiance of the great mass of people and ultimately to succeed in political struggle. Thus, the study of the social movements [or civil society organisations] requires that the continuity and interrelatedness of each period be emphasised. Particular events mark historical moments with particular configurations of forces. But without an understanding of the preceding sequence, the molecular processes of accumulation of forces, the end product of successful struggle cannot be grasped. Each different moment in the political process contributes to the understanding of the whole issue. Therefore the issue in determining the final outcome is to understand the relationship between each sequence.

This study cannot articulate better than Buthelezi (2002:36) the importance of understanding the formative moments of civil society organisations, the strategic events they engage in and the relations these organisations develop with each other and the state. Therefore it is important to examine the genesis of specific civil society organisations that are the main subject of this study in order to establish not only the different moments of their development, but also to see how the molecular processes surrounding their formation has contributed towards democracy in Zimbabwe.

Conclusion

This chapter has looked at literature dealing with different state – civil society relations and has identified Najam's (2000) model as the most relevant analytic framework to understand civil society – state relations in Zimbabwe. However, as Young (2000:150) reminds us, there is no single lens, even for a single country, that is sufficient to proffer a full understanding of the socio-political and economic dynamics at play. The Four Cs Model has been chosen because it offers several levels of assessment, and it places both the state and civil society at the centre of determining the relations that ensue, albeit recognising contextual issues such as the political economy, class dynamics and power differentials.

The foregoing debates centre on two primary roles that civil society plays – enhancing the state's capacity and civil society's role of containing and disciplining state power (Karlstrom 1999:105). This might be a general characterisation of civil society – state relations, but importantly it suggests the sector's bifurcated engagement with the state. This bifurcation has played itself out in Zimbabwe and has led to empirical and theoretical conceptions of polarisation within civil society, and between civil society and the state (Dorman 2003; LeBas 2006, 2011 Sacco 2008; Ncube 2010; McCandless 2012; Gallagher 2015; Aeby 2015, 2016; Ndakaripa 2017).

While this polarisation should not be exaggerated, it is clearly present, and several questions begin to suggest themselves: What is its genesis in Zimbabwe? How deep is this polarisation and what sustains it? How has it affected the democratisation process in the country? To be able to answer these questions, and as Buthelezi (2002:36) warned, it is important to look at how the selected civil society players came into being, and how, in relation to the state, they announced their appearance. This is the subject of the next two chapters.

CHAPTER 4
SKETCHING THE POLARISATION DIALECTIC: THE NATIONALIST MOVEMENT PRE- AND POST-INDEPENDENCE AND ITS QUEST FOR "DEMOCRACY"

Introduction

This study is not an historical one. But in order to understand the phenomenon of polarisation affecting Zimbabwean civil society it is important to go back in time to trace where, when and how this phenomenon started to play itself out. To that extent, this chapter will perform two important tasks. Firstly, it will examine the dialectic of polarisation and show how it has continuously nourished contradictions, cleavages, divisions and other aspects of political processes in the country. The chapter uses the liberation movement to map out the polarisation phenomenon, and how it has been entangled in the construction of hegemony. Secondly, the chapter will discuss the expansion of the "nationalist movement" post-independence through the formation of the Zimbabwe National Liberation War Veterans Association (ZNLWVA) and the Zimbabwe Liberators Platform (ZLP), and how these two interrelated with the party-state. This chapter, together with Chapter 5, which deals with labour and student movements, will show how circumstances forced all these movements to defer to the polarisation dialectic not only as a political strategy to maintain internal cohesion, but also as a vehicle for political and ideological contestations (LeBas 2011:179; Chan and Gallagher 2017:134-5). The next chapters will also show how the practice of polarisation became part of both the hegemonic and counter-hegemonic processes practiced by both the state and civil society.

This specific chapter will begin by delineating the concept of polarisation, then go on to look at how the liberation movements have been both victims and perpetrators of the phenomenon. This process, maybe regrettably, has necessitated a long and probably winding route to ensure a bird's-eye survey of the phenomenon. Events that led to what is now known as the Zimbabwean crisis (Raftopoulos 2003, 2006b) should be understood in the context of a larger historical pattern.

"Us versus them": Understanding polarisation

The phenomenon of polarisation is not new in Zimbabwe's political economy. Even though this study agrees with McCandless' (2012:5) position that polarisation in Zimbabwe is rooted in genuine and unmet historical grievances, it disagrees with the implied view of polarisation as a recent, post-independence phenomenon that has arisen due to unmet nationalist grievances. This study argues that polarisation dynamics informed the activities of the nationalist movement in the 1960s as much as it has informed the post-2000 political struggles in Zimbabwe. But how can polarisation be conceptualised, and how does it fit into this study?

McAdam, Tarrow and Tilly (2001:322) describe polarisation as, "…widening of political and social space between claimants in a contentious episode and the gravitation of previously uncommitted or moderate actors towards one, the other or both extremes". LeBas (2006:421) observes that where polarisation as a social phenomenon occurs, processes of inclusion and exclusion are emphasised through the intensification of the boundary that makes it possible to identify actors as "us-versus-them". Within this binary setup, other cleavages that define a society recede in importance, while the one whereupon polarisation is based expands to organise almost all social interactions. However, this does not mean the boundary that defines polarisation is based on one issue. Instead, a quantum of issues are then constructed to be viewed from one common frame. Political polarisation therefore collapses complex interactions between political actors into a simple battle between two groups, whereupon an uncritical consensus develops within either of the groups. It entails groups defining themselves in opposition to one another and limiting interaction between such groups to violence. McAdam *et al* (2001:322) emphasise that where polarisation occurs, it hollows-out the moderate centre, silences neutrals, and impedes the reconstitution of previous coalitions, sometimes violently. It can lead to repression, violence, armed conflict, or a civil war. As shall be seen below, despite its overall harmful nature, polarisation can be deliberately institutionalised by organisations as a political strategy aimed at the construction of a hegemony or its alternative (Chan and Gallagher (2017:134).

It must be emphasised from the onset that polarisation does not completely preclude the existence of other assemblages beside the two main ones that define the polarisation boundary. To illustrate this point, let us suppose that Group A and Group

B are engaged in an "us-versus-them" relationship. The presence of such a boundary does not preclude the existence of other groups that we shall call Group C+. The polarisation boundary only means the role played by C+ will tend to diminish due to the fact that A and B would have appropriated most of the space available for debate. After some time C+ will either disappear into non-existence, gravitate towards either A or B, or simply continue a miserable existence, unless of course it becomes very popular as to take the position occupied by either A or B. Antagonists in a polarised polity do not necessarily have to be of equal influence, or size. What is key is how entrenched are the issues and positions held by the antagonists. This shall be demonstrated later in the study.

LeBas (2006:421) correctly identifies political parties, civil society organisations, and ethnic conflicts as fertile breeding grounds for political polarisation. All these are relevant to political events in Zimbabwe. Polarisation begins when alliances are built by groups that espouse similar ideas, leaving out those viewed as "them". Such are the strategies that create strong boundaries, or us-versus-them distinctions in order to mobilise constituencies and to boost organisational cohesion. LeBas (2011:44) maintains that polarising strategies are chosen because they serve instrumental functions for elites. For opposition groups to be visible, they need to define exclusively what sets them apart from their adversaries. Such strategies, even though harmful to others, are useful at least in the short term for internal solidarity and maintenance of discipline. Polarised environments are usually characterised by entrenched views, and this is what always makes it difficult to find consensus (McAdam *et al* 2001:322). However, this does not mean solutions cannot be found, as it was the case in Zimbabwe in 1987 when a polarised ethnic conflict between Zimbabwe African People's Union (ZAPU) and Zimbabwe African National Union (ZANU) was resolved, at least for some time, leading to the formation of one united party (Doran 2017).[33]

The next section chronicles the phenomenon of polarisation within the nationalist movement in Zimbabwe during the liberation struggle. Thereafter, a section showing that the polarisation phenomenon did not end with the signing of the 1987 Unity Agreement, but that it expanded beyond the liberation movement, will follow.

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[33] Even though the post-independence conflict between ZAPU and ZAPU (1980-87) was framed as a non-ethnic political conflict, in reality it was nourished by ethnic tensions and the desire to dominate one ethnic group by another. For more on this conflict see CCJP and LRF (1997); Alexander (1998); Ndlovu-Gatsheni (2002; 2012); Cameron (2017) and Doran (2017).

Liberation Movement in Zimbabwe: The genesis of polarisation politics

Masipula Sithole,[34] in his aptly titled book *Zimbabwe: Struggles within the Struggle,* identifies ZAPU, ZANU, Front for the Liberation of Zimbabwe (FROLIZI), African National Council (ANC) and the Zimbabwe Patriotic Front (ZPF) as organisations that made up Zimbabwe's "liberation movement" ([1979]1999:1). Moving beyond 1980, it is plausible to add new organisations to this list. Most notable of these "new" entrants are the Zimbabwe National Liberation War Veterans Association (ZNLWVA) and the Zimbabwe Liberators Platform (ZLP), formed post-1980 to advance the interests of ex-combatants. The formation of these organisations entrenched the polarisation phenomenon as will be discussed later in this chapter. For now suffice to say these organisations, though formed post-1980, can rightly claim exclusive liberation status because their membership is limited to those who participated in the liberation war. As one war veteran, who is also a former leader of the ZNLWVA emphasised: "This association was formed exclusively by and for war veterans who are or former members of ZAPU and ZANU" (Interviewee 15).

The liberation struggle, and struggles within the struggle

In Zimbabwe (Rhodesia), nationalist parties started well before the formation of the prominent ZAPU in 1961. The period between 1948 and 1958 in particular witnessed the formation of several black-led, multi-interest organisations such as the Southern Rhodesia African National Congress (SRANC), the African Voters Association (AVA) as well as the City Youth League (CYL [Nyangoni 1978:44-46; West 2001:91; Nhema 2002:79-80]). These organisations demanded not just the improvement of working conditions for blacks, but also voting rights, and the general repeal of discriminatory laws such as the Industrial Conciliation Act (ICA) of 1934, which prevented black workers from forming trade unions or engaging in collective bargaining (Mlambo 2009:98). These organisations also facilitated cross-class alliances amongst blacks, which up to the late 1940s was not a common phenomenon. Key leaders in some of

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[34] The late Masipula Sithole, an academic, was young brother to Ndabaningi Sithole, the nationalist leader who led ZAPU as its chairman and treasurer and ZANU as president during the liberation period. The younger Sithole was also a member of ZANU in exile and became a university Professor after independence. Their names will feature prominently in this section and in order to distinguish one from the other, this study will always use the full name to identify the political leader, Ndabaningi Sithole.

these organisations, such as Joshua Nkomo (ANC), James Chikerema and George Nyandoro (CYL) were later to become prominent leaders in the nationalist movement (Scarnecchia 2012:228; Mlambo 2014:133; Zeilig 2007:101).

In 1957 the CYL joined with the SRANC, and Nkomo was elected its first leader.[35] Some political historians, amongst them Moore (1990:90) and Doran (2017:5), emphasise that Nkomo was picked as a compromise candidate, the rationale being that his leadership would attract fellow Ndebele nationalists (several others such as Enoch Dumbutshena and Hebert Chitepo had been the first choice but declined). Even though issues of tribal identity were not predominant at that time, it is clear that perceptions of ethnic dynamics informed the crafting of the nationalist project. This is a theme emphasised by Sithole (1999) as will be seen below. By 1958, a year after its formation, the SRANC had an estimated membership of 6,000, a great feat in an environment that militated against nationalist political parties (Mlambo 2014:133; Day 1967:14). The new party's popularity rode on rising appetite for African activism in the region, which included Nyasaland (Malawi) and Northern-Rhodesia (Zambia). SRANC also campaigned and benefited from the wave of abhorrence for the recently introduced Native Land Husbandry Act (1951), which forced blacks to either reside permanently in rural or in the urban areas.[36] Other unfair colonial policies also catapulted the SRANC to prominence as it became clear that without confronting the political system, piecemeal demands were going to achieve nothing.

The SRANC was banned on 29 February 1959 by the Edgar Whitehead government. The reason given for its proscription was that the party was subversive, with no details given. Five hundred of its members and leaders were arrested and detained when a state of emergency was imposed. However, its president, Nkomo, managed to evade arrest and fled to London (Nyangoni 1978:47; Ranger 2013:62). Less than a year later, on 1 January 1960, another political party, the National Democratic Party (NDP) was formed. Michael Mawema, a trade unionist became its interim leader. His presidency was not supported by many who preferred the self-exiled Nkomo, who duly returned, and in October 1960, took over the leadership of the

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[35] Nyangoni (1978:42) says the first party to be formed by Africans in Southern Rhodesia was the African National Congress, formed in 1934 by Aaron Jacha. It was an elitist political party catering only for unfranchised townsmen. It was almost a pressure group that never tried to acquire political power, and Nyangoni characterises it as a non-revolutionary reformist political party.

[36] The Act also forced those in rural areas to destock in order to remain with livestock that could be accommodated in their small designated pieces of land (Day 1967:15; Duggan 1980:232).

NDP at a congress chaired by Robert Mugabe, who himself had just returned from Ghana (Robert Mugabe 2008:153). The few who were opposed to Nkomo's leadership, including Mawema, formed another party called the Zimbabwe National Party (ZNP [Scarnecchia 2012:227]). This was probably the first time that the name "Zimbabwe", a sanitised version of *dzimbadzamabwe* (house of stones) was used. At its very first press conference, where the ZNP's inauguration was to be announced, its leaders were severely assaulted by supporters of the NDP, who viewed ZNP as sell-outs – "*abathengisi* or *bathengesi*" (Nyangoni 1978:47). The NDP supporters were clearly buoyed by their leaders who openly called for the crushing of any political formation that sought to compete with the NDP. Mugabe, the Publicity Secretary of NDP, had released a statement where he said:

> The NDP is a PEOPLE'S movement. Its will is the PEOPLE's will. Whoever opposes it opposes the WILL of the people. Consequently, any malicious manoeuvres by anybody to destroy this will inevitably boomerang on the conspirators (Doran 2017:11).[37]

Thus, it is clear that from the onset, a sense of monopolistic politics and its associated rights pervaded political organising. There is no ambiguity in Mugabe's statement that a sense of exclusive rights to organising were utilised as a political strategy to keep the nationalist project together.

From its formation, the NDP was more aggressive than the SRANC in demanding majority rule under universal suffrage. It was also very clear in terms of its objectives:

> To serve as a vigorous political vanguard for removing all forms of oppression, and for the establishment of a democratic government in Southern Rhodesia, to work for the speedy constitutional reconstruction in Southern Rhodesia, with the object of having a government elected on the principle of "one man, one vote"; to work for the educational, political, social and economic emancipation of the people, especially the underprivileged; to work with other democratic movements in Africa and the rest of the world, with a view to abolishing colonialism, racialism, tribalism and all forms of national or racial oppression and economic inequalities among nations, races and people (Nyangoni 1978:48).

Despite the NDP's professed inclination towards principles of non-violence, it organised demonstrations, most of which turned violent. In July 1960 for example, its members took part in massive demonstrations in Harare and Bulawayo. Many buildings were burnt, and twelve people were shot dead by the police as the demonstrations turned violent (Doran 2017:2). More violence took place during the second half of 1960. In July 1961, the NDP boycotted a referendum on a new constitution as it insisted that the referendum was inadequate in moving towards

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[37] Emphasis is original

majority rule. In October 1961, there were further riots in Harare, Gweru and Bulawayo. Even more violence happened in rural areas were infrastructure such as dip tanks, bridges and schools were destroyed. Thus, before the end of 1961, the Southern Rhodesia government had had enough of the NDP, and decided to proscribe it on the 9th of December 1961 (Saul G. Ndlovu 2015). However, ten days after its banning, another party, ZAPU was formed (Robert Mugabe 2008:154). Doran (2017:4) says ZAPU was in effect the reincarnation of the NDP as it took over and absorbed all the former branches of the NDP. Nkomo remained the president, while Ndabaningi Sithole became chairman (Nyangoni 1978:49; Mlambo 2014:147, Doran 2017:6). This new party maintained the confrontational approach used by the NDP. It organised demonstrations, some of them also turning violent leading to destruction of government infrastructure.

The radicalism brought about by the formation of African political parties, and the violence that accompanied demonstrations gave the Edgar Whitehead-led settler government the excuse to pass the notorious Law and Order Maintenance Act (LOMA) of 1960, which gave security agencies impunity to arrest and ill-treat nationalist leaders. However, despite that constricted environment, ZAPU managed to capture and galvanise nationwide support and became a serious threat to the establishment, attracting its proscription not long after formation. It was banned in 1962, but not before its leadership had taken a decision not to form any other party in the event that, as anticipated, it gets banned (Nyangoni 1978:51). The plan was to continue to operate underground (Ndlovu 2015). Between its formation and mid-1962, ZAPU continued the radical activities of the NDP as it embarked on sabotage activities, especially in white owned commercial farming areas where large tracts of land went up in smoke. The situation was so serious that in mid-1962 it necessitated the Southern Rhodesian government to organise an aerial tour of the country to prove to journalists and chiefs that the damage was severe. Ndlovu (2015), who represented the African Newspapers (publishers of the *Central African Daily News*) on that tour, laments the damage they witnessed, and says the subsequent proscription of ZAPU came as no surprise.

The plan not to form another party if and when ZAPU got proscribed was undone on the 8th of August 1963 when ZANU was formed, with Ndabaningi Sithole, ZAPU's former chairperson, chosen as leader. As it turned out, most of the people who had congregated to form ZANU were former leading members of ZAPU, and had been party to the decision not to form any other party if ZAPU was outlawed. Most of the

ZANU leaders were from the broad Shona ethnic group (Zezuru, Karanga and Manyika) with the notable exception of Enos Nkala, who was Ndebele. Those who remained in ZAPU were from both the Shona and the Ndebele ethnic groups. At that point, as Sithole (1999:17) suggests, the stage was set for vicious struggles within the struggle. In fact, it is at this point that this study picks the polarisation phenomenon that has haunted Zimbabwe's political landscape up to the present. The rift between ZAPU and ZANU that started in 1963 was maintained up until Independence Day in 1980, and beyond. But how did the split come about?

Understanding the 1963 ZAPU – ZANU Split.

According to Sithole (1999:34-39), manoeuvres towards the ZAPU/ZANU split started in September 1962 when ZAPU was banned by the Rhodesian government. This differs from Nyangoni's (1978:52) view that rifts within the nationalist movement started way before when Michael Mawema was deposed as the leader of the NDP in 1960 in favour of Nkomo, who was elected as a compromise candidate for the second time. (Moore 1990:99). Moore adds that the December 1960 (London) and January 1961 (Salisbury) constitutional conferences also contributed to the rift which led to the ZAPU split (1990:100).[38] What Sithole and Nyangoni agree on is that Nkomo was out of the country when the ZAPU ban was announced, and this became a significant factor in the events leading to its split. When he eventually returned, he was restricted by the Smith government to his rural home in South-Western Zimbabwe, which further alienated him from other nationalist leaders (Sithole 1999:36).

In April 1963, once his restriction conditions had been relaxed, Nkomo persuaded all ZAPU leaders, including those who were on bail, to escape to Dar-es-Salam, Tanzania. Apparently, he prevailed by assuring them that it was actually Tanzanian President Julius Nyerere's suggestion that they all visit Tanzania. When they got to Dar-es-Salam, it soon became clear that Nyerere was not aware of their visit and actually chastised them for leaving Zimbabwe (Doran 2017:7). Thus, for this reason, coupled with Nkomo's hesitation to return to the country after the 1962 ban, some executive members doubted Nkomo's honesty and leadership capabilities (Nyangoni

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[38] More about this constitution will be discussed later within the context of constitutional struggles in Zimbabwe.

1978:53; Sithole 1999:36). While the leaders were away in Tanzania, some party members in Zimbabwe started circulating anti-Nkomo literature (Sithole 1999:37). On learning about this, Nkomo suspected the complicity of some members of his executive. Upon his return home in early July 1963, he suspended four of his executive members who apparently were still in Tanzania, stranded with no funds. Ndabaningi Sithole, Robert Mugabe, Leopold Takawira and Morton Malianga, the suspended members, reacted by also suspending Nkomo and choosing Ndabaningi Sithole in his place. The suspended four became the core of the group that formed ZANU on August 8, 1963, an event rushed in order to beat the August 10 ZAPU meeting organised by Nkomo at the Cold Comfort Farm. At that meeting, Nkomo went on to form the Peoples' Caretaker Council (PCC), which was not registered as a political party.[39] Henceforth, both the PCC (ZAPU) and ZANU began to recruit separately, sometimes duplicating each other's work (Day 1978:22; Doran 2017:16-20). This had serious repercussions for nationalism as Nyangoni (1978:55) observes:

> ZANU and PCC launched programmes for recruiting new members into their respective organisations. This brought intense conflict between the two groups which resulted in the death of many Zimbabweans. The settler regime used this intraparty conflict as a pretext for arresting and placing many Africans in detention.

At other instances, the nationalist parties undermined each other by recruiting within each other's ranks. Examples are cited by Tshabangu (1979:19) and Mhanda (2011:18), where several ZAPU trained cadres such as Solomon Mujuru, Thomas Nhari and David Todhlana deserted the organisation in 1969-70 to join ZANU, a desertion that Tshabangu explains within ethnic lines.[40] There was also competition between ZAPU and ZANU for the Organisation of African Unity's (OAU) attention, as each wanted to prove to the Pan-African organisation that it was a better revolutionary party than the other (Nyangoni 1978:95).

Nyangoni (1978:53) identifies four specific narratives that crystallised opposition to Nkomo's leadership. Those who opposed Nkomo wanted a policy of confrontation; they also wanted a new political party to be formed contra to Nkomo's stance of religiously sticking to a resolution of allowing ZAPU to exist underground. They were also disappointed at Nkomo's lack of decisiveness as a leader; and likewise were

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[39] PCC was formed to organise inside Zimbabwe and disguise ZAPU which had been banned, but outside the country, ZAPU still maintained its name.

[40] Nhari was to lead the 1974 botched Nhari rebellion within ZANU, and consequently executed by another ZAPU deserter Solomon Mujuru (Rex Nhongo).

concerned about the lack of confidence in Nkomo by several Pan-African leaders such as Nyerere and Kamuzu Banda (Doran 2017:9). Specifically, Banda thought Ndabaningi Sithole was "more able, honest and sincere" (Day 1967:71) than Nkomo, whom he claimed had let him (Banda) down in 1952 by attending a conference that set up the Federation of Rhodesia and Nyasaland. To dispel any doubts about his disdain for Nkomo, in July 1964, Banda invited only ZANU (not ZAPU) to attend the Malawi independence celebrations (Day 1967:71-2).

The collapse of the Garfield Todd liberal government in 1958 had implications for the ZAPU split (Sithole 1999:52). The rise of the right wing Federal Party meant that a negotiated settlement became unlikely and therefore a radical approach was the only way forward. Even though all nationalists acknowledged this fact, according to Sithole, levels of temperamental disposition towards radicalism differed, and that became the basis for the ZAPU-ZANU split. His argument is that Nkomo was too cautious, hesitant, over-anxious and afraid; and this was interpreted by Ndabaningi Sithole's group as cowardice and unwillingness to prosecute an armed struggle. However, this contradicts the archival-based research findings of Vladimir Shubin, a Soviet state operative and academic who was heavily involved with Southern African liberation movements from the 1960s. Shubin (2008:153) writes about a visit by Nkomo to the Soviet Union in July 1962, long before the split, where Nkomo requested assistance to the value of £150,000 for activities linked to an armed struggle.

In fact, Ndlovu (2015) argues that Nkomo had recognised the imminence of the armed struggle earlier than 1962. In 1959, he (Nkomo) had asked the Ghanaian government to give the SRANC military training facilities. Ghana had agreed, and six nationalists had been sent there for training. They included Mark Nziramasanga (who came from Zvimba, Robert Mugabe's communal home area[41]), Sikwili Moyo, Edward Mzwayi Bhebhe, a Mudavanhu and two others. Ndlovu (2015) further indicates that it was for their passing-out ceremony that J.Z Moyo went to Ghana towards the end of 1959, where he met Mugabe for the first time, and spoke to him about returning home to join the nationalist movement. According to Shubin (2008:153), Nkomo indicated during his 1962 visit to Russia that the aim was to achieve independence by July 1963,

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[41] Nziramasanga is the one who introduced Mugabe to the NDP supporters gathered at a stadium in Highfields after they had been stopped from marching to the Prime Minister's residence. Nziramasanga had presented Mugabe as a unique African in the sense that he had two university degrees and not just one like Sir Edgar Whitehead, the then Prime Minister of Rhodesia, who had only one degree (Ndlovu, R. 2015).

and ZAPU was aware that this could not be achieved through negotiations. Hence the request for arms, explosives, revolvers and money.

Mugabe indicated at Joshua Nkomo's funeral at the National Heroes Acre in July 1999 that as far back as early 1963, they had decided in a meeting chaired by Nkomo that the only way forward was to transform the political struggle into a guerrilla one. His exact words were "At the beginning of 1963 under the chairmanship of Nkomo… It was decided at our meeting that the way forward should now be by transforming our political struggle into an armed guerrilla one" (Mugabe 2008:155). On the subsequent formation of ZANU, Mugabe said it was mainly due to the fact that nationalist leaders could not meet regularly after their release from detention to plan the methodology of prosecuting an armed struggle. Again, his exact words read: "It was our different perceptions of the proposed armed liberation struggle which, plus the fact that we lacked the opportunity for a get together to discuss them that caused the serious divisions which saw ZANU being formed," (Mugabe 2008:156).

Mugabe's (2008:155) funeral words, Shubin's (2008:155) archival records, and Ndlovu's (2015) journalistic notes[42] negate Sithole's (1999:52) suggestion that Nkomo was afraid to prosecute an armed struggle. In fact, the narrative about Nkomo's "weak temperamental disposition" started much earlier, even before the formation of ZAPU. Shubin (2008:152) cites Soviet intelligence information obtained most likely from Washington Malianga's[43] reports in 1960, which said Nkomo was characterised by tiredness, disbelief in victory, dislike for Europeans and being averse to the armed struggle. The report also indicated that Nkomo regarded socialist countries with suspicion and mistrust. This characterisation does not resonate with Nkomo's subsequent re-election to lead ZAPU at its formation in December 1961. Such a disputation is supported by a long standing member of ZAPU who was actively involved in the armed struggle. In collaborating with the position that Nkomo's inclination towards armed struggle started earlier than acknowledged, he expounds:

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[42] Ndlovu (2015) also indicates that by August 1962, ZAPU's military recruitment mission was in full swing in view of launching a guerrilla war, and people like James Chikerema, Philemon Makonese and David Mpongo had already been sent to China for that purpose. As evidence that ZAPU was actively considering a guerrilla warfare, the party's Vice-President, Dr. Samuel Parirenyatwa was assassinated by the Southern Rhodesia special branch while he was on a recruitment exercise. He had left Harare to Nkayi via Bulawayo with a ZAPU cadre, Danger Ngozi Zengeni Sibanda as his driver. Ndlovu (2015), who interviewed the driver a few days after the incident, narrates how the pair became aware that they had "company" in the form of the special branch who had followed them all the way from Harare.
[43] Washington Malianga was the NDP representative in Cairo in 1960 and later one of the members who formed ZANU.

At that time [1962] there were people who had already been trained and Nkomo had sent them to other countries such as Ghana and Egypt to be trained. The James Chikerema group had already been trained by 1963. So that decision had already been taken long back and Nkomo had been pivotal in that. So when we started talking openly about the liberation struggle, we were talking about something that was already in the process. He had already made contact with the Soviet Union. Nkomo had already made contact even though it took them time to be convinced (Interviewee 7).[44]

In retaliation against their suspension in July 1963, Ndabaningi Sithole and his group responded not only by disposing Nkomo, but also produced a statement that was widely circulated, stating their reasons for ousting Nkomo. The statement showed a lot of disdain towards Nkomo's leadership based on his perceived cowardice, and that he had fallen into the habit of concealing the truth from executive members (Sithole 1999:41-3). Clearly, Nkomo's leadership of the party was being openly questioned. Meanwhile, those who supported Nkomo were not happy with the insubordination shown by those who had been suspended. Thus, within this framework, it seems logical to conclude that leadership – or lack of it – was the main reason for the eventual split. This conclusion is further buttressed by ZANU's preparedness less than a year later, in 1964, to negotiate with ZAPU for a common front provided that Nkomo was not the leader (Day 1967:58).

Sithole (1999) claims that tribal issues were not very prominent in the initial ZAPU/ZANU split, even though he emphasises them in the subsequent splits within the nationalist parties. He argues that even after the split, ZAPU still enjoyed a lot of support in Mashonaland region (1999:60). This is hardly a reason to discount the influence of ethnicity in the split, let alone the fact that the supporters he references were not the initiators of the split. Nyangoni's proposition on ethnicity is contrary to the one advanced by Sithole. He (1978:57) posits:

Another important factor in the split was ethnicity. Some of the ZANU members did not like a person of Ndebele origin to take over the leadership of the nationalist movement. On the other hand, those who opposed ZANU identified it with the Mashona.

If one looks at the composition of the new ZANU that emerged immediately after the split in 1963, it is not difficult to conclude that ethnic solidarity played a major role.[45] The fact that the post-split ZAPU external executive had members of both Shona and

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[44] Also see Dabengwa (2017).

[45] It is also important to note that Sithole (1999) does not do an ethnic composition analysis of the new leadership at the formation of ZANU, but consistently does so thereafter when he looks at the ethnic divisions for ZANU post the 1964 conference (page 87), FROLIZI leadership (page 118), ZANU leadership in 1975 (page 176) and the Zimbabwe Liberation Council leadership (page 148). The analysis is mainly in reference to the Shona sub-ethnic groups, the Zezuru, Karanga and Manyika.

Ndebele background cannot be used as a measure to dispel any tribal motivation for the split, as one must also interrogate the composition of the breakaway group.

Secondly, it is possible that at the time preceding the split, tribal motivations were deeper in one faction than in the other. Therefore, this imbalance or lack of mutuality in tribal sentimentality cannot cancel out the existence of such attitudes amongst others. What is clear is that even though ZANU leaders explained their discontent as related to Nkomo's exceedingly soft approach towards the struggle, the composition of their executive at inception indicated a party that represented first and foremost Shona interests (Shubin 2008:158). Either the Ndebele did not make it to the new ZANU executive because they were sulking, or the Shona deliberately excluded them for one reason or another. However, both scenarios derive from and feed into ethnic tensions. In the final analysis, it was therefore issues of ethnicity and leadership (either poor leadership or leadership aspiration) that led to the ZAPU/ZANU split of 1963. After all, Nkomo had always been a compromise leader from the time he was elected to lead the SRANC.[46] What is important, however, is to emphasise that the split was not an overnight occurrence, but a process that was long coming, and therefore some of the reasons could have been overemphasised while others downplayed by writers, the effect of which was to moderate their impact on the split. From then onwards, boundaries were drawn and polarisation became real. The two parties began to compete for hegemony within the African population. As Masipula Sithole, who was sent by ZANU to study in the United States in 1967, recollects:

> I found in the United States Zimbabweans polarised between ZAPU and ZANU. Therefore, who were going to be my friends and contacts had been generally defined… Myths, realities, party, and peer pressure discouraged us from making friends or from associating with ZAPU members (Sithole 1999:31).

Doran (2017:38) observes that the long years of detention of the leaders from both parties, and the concomitant guerrilla war did not assuage the antipathy between ZAPU and ZANU. The skirmishes that erupted between ZAPU and ZANU armies in May 1976 where ZANLA and ZIPRA guerrillas killed each other in a gunfire exchange are testimony to this. Three weeks after this incident, 40 ZIPRA men were killed, while 70 severely injured after a full scale attack by ZANLA, where

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[46] Doran (2017:5-11) emphasises the view that Nkomo's leadership of SRANC, NDP and ZAPU was a negotiated one meant to cater for ethnic dynamics of the country. However, what Doran does not address is why it had to be one individual (Nkomo) for so many times (thrice). Nkomo's ethnic group was not the biggest in the country, and this invites questions as to what would have been achieved by "favouring" someone from a non-majority ethnic group if the objective was to attract membership.

machine guns and automatic rifles were used. These were in addition to clashes that happened at the battlefront (Doran 2017:48). Thus, part of the anger that was supposed to be directed towards the Smith regime was misdirected towards each other, possibly contributing to a delayed capitulation of the colonial regime.

Further splits: ZAPU and the formation of FROLIZI (1971)

Amongst other causes, ethnic solidarity became more pronounced in the 1971 ZAPU split. This is the split which resulted in the formation of FROLIZI. Tshabangu (1979), who writes on the strength of direct involvement in these contradictions, especially in the March 11 Movement, writes extensively about the tribal manoeuvres that led to the split and formation of FROLIZI.[47] As Tshabangu observes, this split had ethnic pride feeding into the differences that developed amongst the leaders. Initially the differences pitted the Treasurer Jason Z. Moyo (Ndebele) against the Acting President Chikerema (Shona). Later on, more people were drawn into the mix, some openly expressing their gross disdain for the other tribe. George Nyandoro, the then Secretary-General of ZAPU issued a document which was shamelessly tribalistic. He wrote:

> I am finding it necessary to organise on proper lines the complete military structure of ZAPU, which will henceforward come under my direct control and I will be appointing new secretaries and new departments. All the senior officers will be of Mashona tribes; that is to say Vazezuru, Vamanyika and Vakaranga people only. The ZAPU organisation has been completely riddled by traitors from Matabeleland since we were compelled to leave Zimbabwe as refugees, and no progress at all has been made on the liberation of Zimbabwe, so we must constantly remember that our duty is now to Mashona … Amandebele … are still showing themselves to be pure enemies. I am appointing myself as Commander in Chief of ZAPU Military Council, and we will forthwith be known as ZMC, a driving movement of militancy to liberate Zimbabwe from the illegal Smith regime without the help of the Amandebele (Sithole 1999:49-50).

As it turned out, Nyandoro and Chikerema's group went on to form FROLIZI, together with another small group that had split from ZANU after ZANU's 1971 biannual conference (Nyangoni 1978:106). Shubin (2008:158) observes that the ZAPU/FROLIZI split had a pernicious effect on ZAPU.

> Indeed, the split in ZAPU, especially because of its ethnic flavour, dramatically aggravated the

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[47] Tshabangu's (1979:40) *The March 11 Movement in ZAPU* presents a detailed explanation of how tribal motivations and maladministration afflicted ZAPU and led to the party haemorrhaging and losing cadres to other parties. The emergence of the March 11 Movement was motivated by a desire by some cadres to challenge the party leadership to eradicate what cadres interpreted as counterrevolutionary activities.

situation in the party. It was followed by a mutiny in its camps that was suppressed by the Zambian Army.[48] The armed struggle was "forgotten" for several years; the ranks of ZIPRA dwindled; the prestige of ZAPU suffered in Zimbabwe, in Africa and on the international arena. It would not be an exaggeration to say that the split moved ZAPU back and allowed ZANU to come to the forefront of the liberation struggle.

The reasons for splitting from both ZAPU and ZANU were given by FROLIZI as lack of unity and commitment from both parties.[49] Interestingly, however, FROLIZI's executive had six members from the Shona ethnic group and one from the Ndebele, Tshinga Dube. It was far from uniting ZAPU and ZANU whose split had been predicated, amongst other issues, on ethnicity. Thus, FROLIZI became a third force (Shubin 2008:159). But because of the polarised nature of the environment in which it was born, FROLIZI collapsed in 1973, and this strengthened ZANU within the ZAPU – ZANU polarisation dialectic.

Attempts to unite the Liberation Movement – Polarisation prevails

In December 1974, the Frontline States encouraged Zimbabwean liberation organisations to do away with polarisation and unite for a common cause.[50] This led to the formation of the African National Council (ANC), a political party, on the 7th of December 1974, led by Bishop Abel Muzorewa.[51] This initiative, once again, was short-lived. In 1976, due to cleavages and infighting, a faction led by Robert Mugabe pulled out of the ANC. Nkomo's ZAPU immediately followed (Sithole 1999:150-1; Nyangoni 1978:113; Nhema 2002:87-8). The ANC then changed its name and became the United African National Council (UANC), with Muzorewa still the leader.

The emphasis on the polarisation phenomenon that afflicted the nationalist

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[48] This mutiny was known as the March 11 Movement. See Tshabangu (1979) and Moore (1990, 1991).
[49] FROLIZI claimed that it was going to start by uniting ZAPU and ZANU (Tshabangu 1979:41; Nyangoni 1978:108). Preceding the announcement of FROLIZI's formation, Chikerema had publicised, even internationally, that both Nkomo and Ndabaningi Sithole had met and agreed to step down as leaders of ZAPU and ZANU in the interest of unity, and that FROLIZI was the product of such manoeuvres. In other words, FROLIZI was a process designed to negate polarisation of the nationalist movement, and was therefore attractive to the OAU's Liberation Committee.
[50] Frontline States were countries in Southern Africa heavily involved in efforts to bring majority rule in South Africa, Zimbabwe and Namibia. These countries were Zambia, Tanzania, Mozambique, Angola and Botswana.
[51] Abel Muzorewa had formed the initial African National Council (ANC) as a pressure group in 1971 with the objective of uniting Africans in opposition to the Anglo-Rhodesian proposals for settlement, spearheaded by the Pearce Commission. The new 1974 ANC was therefore an enlarged organisation made up of nationalists from ZAPU, ZANU, FROLIZI and the ANC. For more see Nyangoni (1978:110-1; Sithole, 1999:131-50).

movement is not intended to write off numerous internal ructions within ZAPU and ZANU. Such internal contradictions, indeed if ignored by this study, would render the polarisation thesis outlined here to ridicule. Events leading to the 1974 Nhari rebellion where a group of angry junior ZANU guerrillas (angry because they were inadequately supported by the high command) kidnapped their senior ZANU politicians and military personnel, shows that there were serious internal contradictions within the party. Leaders of this rebellion and many others who participated were subsequently executed by members of ZANU's high command (Sithole 1999:102; Doran 2017:26). The 1975 assassination of Herbert Chitepo either by Rhodesian intelligence (Doran 2017:26) or by his colleagues in ZANU (Sithole 1999:112-4), the subsequent detention of over seventy ZANU leaders by the Zambian government, and the 11 March Movement (ZAPU [Tshabangu 1979]) attests to the uneven intra-party relations.

The same can be said about several attempts by the military to unite the liberation movement. In 1972, the Joint Military Command (JMC) was created by ZANU and ZAPU to try to unite their armies (Moore 1990:133; Sithole 1999:127). In 1975, the Zimbabwe People's Army (ZIPA) was formed mainly by ZANU guerrillas in Mozambique and Tanzania, but later joined by ZAPU military leaders in an attempt to unite the two parties. In 1977, leaders of ZIPA were rounded up and violently arrested by Josiah Tongogara and Mugabe (Moore 1990:144, Sithole 1999:193; Doran 2017:28). Both these attempts at uniting the nationalist movement failed. Thus, if polarisation was used as a political strategy to foster internal unity as argued in the thesis, its effectiveness was not universal.

In 1976 ZAPU and Mugabe's ZANU[52] were encouraged again by leaders of the Frontline States to form a united front that would present a common Zimbabwean position at the forthcoming Geneva Conference on Zimbabwe. This led to the formation of the Zimbabwe Patriotic Front (PF), which, in essence excluded other fractions of the nationalist movement (Nyangoni 1978:133; Doran 2017:42). This did not bring fundamental changes in the relationships between ZANU and ZAPU, but it temporarily resolved the polarisation issues between these parties. However, it created another boundary between ZPF on one side and UANC and Sithole's ZANU on the other. Later on, Ndabaningi Sithole and Muzorewa's parties (they were

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[52] There was another faction led by Ndabaningi Sithole, which worked closely with Muzorewa's UANC.

excluded from the Patriotic Front arrangement) decided to work together; and closer with Smith towards the short-lived 1978 internal settlement (Doran 2017:38; Mhanda 2011a:194,201; Sithole 1999:151,163). This internal settlement, in perpetuating the polarisation phenomenon, excluded ZAPU and Mugabe's ZANU. That exclusion rendered the legitimacy of the settlement as well as the subsequent 1979 election results void. Consequently the liberation war continued.

Another round of talks, the Lancaster House negotiations, were convened in London towards the end of 1979. These negotiations resulted in the setting-up of a transitional authority (headed by Governor Lord Soames) tasked with organising independence elections in April 1980. ZAPU and ZANU contested the elections separately, in the process resuscitating the polarisation dialectic between them. ZANU-PF won the majority of the common roll seats and won 63% of the popular vote. PF-ZAPU came second, getting 20 seats and 24% of the popular vote, while the UANC obtained only three seats (Sithole 1999:179-180). Not long after, the rest of the political parties became less relevant as the contest centred on ZAPU and ZANU, entrenching a polarised political environment.

Post-Independence relations within the liberation movement: 1980 to 1990

Pre-Unity Accord period, 1980 - 1987.

After the 1980 elections, an inclusive government was formed which included members of other political parties, mainly PF-ZAPU. The language of reconciliation seemed to dominate the discourse of the new ruling elite. Raftopoulos (2004a:xi), however, argues that it became clear immediately that the new ruling party's policy of reconciliation would be based on subordination and control both of other political parties and civil society. Polarisation politics were lurking not far behind, and were soon to be activated. In 1982 contradictions and differences escalated between PF-ZAPU and ZANU-PF and an armed conflict ensued in 1983, concentrated in Matabeleland and Midlands regions. A "discovery" of arms caches was reportedly made at farms owned by PF-ZAPU in February 1982 (CCJP 2007:54). PF-ZAPU leaders were arrested and the party's ministers were immediately and embarrassingly expelled from cabinet. In response to the sacking of PF-ZAPU ministers, some ex-

ZIPRA[53] combatants in the armed forces deserted, some retaining their weapons in the process. During the same period, criminality around the country increased. The party-state linked this increase in criminality to ex-ZIPRA combatants who were then labelled as dissidents.

Because most of these "dissidents" operated in the Midlands and Matabeleland provinces, the government deployed a special army unit in these provinces. The unit was known as the Fifth Brigade, trained by North Koreans who came for that purpose immediately after independence. This conflict, which happened between 1983 and 1987, is usually referred to as the *gukurahundi* period, a Shona word used to describe the first spring rains that "clean up" the veld-chaff after a long dry spell (Todd 2007:356). The *gukurahundi* conflict seemed to perpetuate the narrative of tribal dominance, and therefore extended ethnic polarisation. This is why some, albeit in hindsight, commented that the whole operation was more about the desire to ascribe collective guilt to the Ndebele (most of whom supported PF-ZAPU) than to deal with security issues in the country (Doran 2017:373). Tendi (2010:195) quotes a senior intelligence officer justifying *gukurahundi* beatings and massacres as a way of teaching Ndebeles their position as a minority group. Beating them was to make them realise that the present Shona people were not as weak as the previous ones they used to tyrannise during King Lobengula's conquest era. The recruitment patterns and operations of the two guerrilla armies' in the 1970s, (ZIPRA forces were dominated by Ndebeles, while ZANLA by Shonas), together with voting patterns and political loyalties after 1980 foregrounded the ethnic interpretation of the *gukurahundi* conflict (Alexander, McGregor and Ranger 2000:181).

Coltart (2016:156) argues that *gukurahundi* drove political rather than military objectives. Mugabe and his party had desired a one party-state system even before he assumed power. He therefore targeted ZAPU and its supporters because they stood on his way to fulfilling this objective. Mugabe labelled ZAPU a "dissident party" and hence justified his intention of destroying it (Coltart 2016:156). Ndlovu-Gatsheni (2002:23) also sees *gukurahundi* as a legacy of historical antagonisms between the Shona and Ndebele, as well as antagonisms between ZAPU and ZANU politicians

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[53] The liberation forces were themselves divided in 1963 when ZAPU split into two parties. The resultant armies were the Zimbabwe Peoples' Revolutionary Army (ZIPRA), the military wing of ZAPU, while Zimbabwe National Liberation' Army (ZANLA) was the ZANU military wing. In a big way, this was the extension of the polarisation dialectic, which resulted, as Eppel (2004:44) identifies, in fierce fighting between the two forces, both within and without the country.

dating back to the 1963 split, and the legacy of mistrust between liberation armies of these political parties.[54]

What can be seen from the above is not only the desire for dominance by one political party through decimating others, but also the perpetuation of the polarisation dialectic predicated on regionalism, ethnicity, and one-partyism. In fact, it should be mentioned that by 1979, the British had noted the risk of a "Mashona/Ndebele or ZANLA/ZIPRA" which had become more probable than before (Doran 2017:46). Such a prediction was possible to make because of the deep polarisation dynamics that existed between the two. The Zambian, Mozambican and Tanzanian governments were also aware of this high possibility, but did very little to ensure that it did not come to pass (Doran 2017:46). Thus, the foretold conflict came in the form of Fifth Brigade versus dissidents. The brigade operated outside normal army structures and it reported directly to Prime Minister Mugabe and Ministers of State Security and Defence, Emerson Mnangagwa and Sydney Sekeramayi respectively. Once the massacres started, the international community did not do much to stop them, including Britain, which was aware of the severity of the situation (Cameron 2017). The disinterest shown by the international community, especially Britain, the former coloniser, is shocking, but can be explained within the dynamics of the cold war (another polarised affair). ZAPU had maintained a close relationship with Russia during the liberation struggle, and those ties would have persisted post-independence. Britain and other global powers would not have been interested in intervening on behalf of ZAPU, a party linked to the loathed Union of Soviet Socialist Republic. However, as it turned out, thousands of innocent civilians were killed during *gukurahundi*, mainly by the Fifth brigade chasing fewer than 400 dissidents (CCJP 2007: xxv-xxvi; 50; Alexander *et al* 2000:198; Eppel 2004:44; Coltart 2016:144-156). Many researchers' (e.g. Ndlovu-Gatsheni 2002:30; Zeilig 2007:105; Cameron 2017:2; Eppel 2004:46,60) estimates of *gukurahundi* murders are between 10000 and 20000, 90% of which were innocent civilians.

In December 1987, a unity agreement was signed between PF-ZAPU and ZANU-PF and a "new party", ZANU-PF was born.[55] The signing of the unity accord ended

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[54] For more on *gukurahundi*, see CCJP and LRF (1997), the first comprehensive report to be produced after the disturbances. Also see CCJP (2007); Alexander, McGregor and Ranger 2000; Eppel (2004); Gatsheni-Ndlovu (2002; 2012); Cameron (2017); Doran (2017).

[55] The Unity Agreement indicates that the two parties were irrevocably united under one political party, which in theoretical terms meant the post-Unity Accord ZANU-PF was a new party.

ZANU-PF's brutal military campaign against PF-ZAPU/ZIPRA (Raftopoulos 2004a:xi; Kriger 2006:1154). It also ended a history of opposites and hostilities between leaders and supporters of these two nationalist parties, which dated back to 1963. Some of these opposites were that ZANU was predominantly a Shona party, while ZAPU was mainly Ndebele. ZANU was backed by the pro-Peking countries, while ZAPU was backed by the pro-Moscow ones (Sithole 1999:169). These antagonisms had previously forced the masses to choose either ZAPU or ZANU (Alexander *et al* 2000:181). The 1987 unity accord, largely viewed as the capitulation of ZAPU, was meant to end these antagonisms. But was this achieved?

Post-Unity Accord period.

The signing of the Unity Accord effectively emasculated a major opposition party and confirmed the regional subordination of Matabeleland, where ZAPU was dominant (Raftopoulos 2004a:xi). Thus, while the discourse of unity dominating the post 1980 elections was to structure relations with those who owned capital, the 1987 national unity was meant to control and subordinate opposition parties. Furthermore, the signing of the unity agreement almost led to the institutionalisation of a one-party-state as the capitulation and dissolution of PF-ZAPU meant that there was no longer any organised political formation that could contest the ruling party's hegemony (Sachikonye 1991:45; Moyo 1993:8; Muzondidya 2009:179). The agreement consolidated the ruling party's power and hegemony – in parliament all but one seat belonged to ZANU-PF.

Thus, the polarisation between the liberation parties ended with the signing of the unity agreement. However, the agreement did not end political polarisation in the country. The agreement gave leaders of the new united party false expectations that by signing an agreement, national unity, which to them was more important than democracy, would be achieved (Jonathan Moyo 1991:84). In that flawed reasoning, ZANU-PF labelled any political formation seeking to wrestle state power away from the nationalists as evil. At that moment, the polarisation boundary shifted to one between the "united" nationalist movement and an imaginary opponent – any actor who will contest ZANU-PF's hegemony. Kriger (2006:1154) and Dorman (2006:1092) allude to this notion when they argue that the political discourse of the nationalist

struggle has always been used to produce insiders and outsiders in Zimbabwe. When opposition parties and civic groups started to challenge ZANU-PF the exclusionary language of liberation re-emerged. This can be seen when claims are repeatedly made that Zimbabwe cannot be governed by a party not rooted in the struggle. This was the basis of ZANU-PF's reaction to the emergence of a strong opposition in 1999, and its associated civil society. The thesis will pick up this thread when it deals with threats to state hegemony.

As can be seen from the preceding discussion, other political formations, including those formed to unite ZAPU and ZANU before independence, made no impact. This can be explained by two interrelated reasons. Firstly, the polarisation phenomenon, which this study traces back to 1963, constricted the space in which other competing ideas could exist. Sometimes this was done violently, as was the case with the quelling of internal contradictions such as the 1971 March 11 Movement in ZAPU (Tshabangu 1979; Moore 1990:116), the 1974 Nhari rebellion in ZANU (Mhanda 2011:46; Doran 2017:26; Tendi 2017), and the ZIPA moment between 1975 and 1977 (Moore 1990; 2014c; Mhanda 2011a:94). Secondly, leaders of parties within this polarised contest were not willing to climb down from their entrenched positions, instead, preferring to fortify the boundaries of polarisation. During the liberation war, ZAPU and ZANU maintained their polarised status, sometimes incognito, despite occasional internal and external pressure to unite. As earlier alluded, polarisation either forced other new formations to collapse; or to gravitate towards either ZAPU or ZANU; or to continue a miserable existence outside the binary. The unification of these, as would be seen in the next chapter, did not negate the polarisation phenomenon.

War veterans as part of the Liberation Movement, and polarisation

Zimbabwe National Liberation War Veterans Association (ZNLWVA)

Norma Kriger's (2003) book, *Guerrilla Veterans in Post-War Zimbabwe* tracks the strategies, resources and the agendas that defined the relationship between war veterans and the party-state between 1980 and 1987. It also summarises the political outcomes of their engagements. One of the issues emerging clearly in the relationship was the synchronous collaboration and quarrelling; intimidation interlaced with

cooperation, all of which was aimed at achieving a common agenda. Instead of using this engagement and their superior position to form alliances and partnerships with peasants and other social groups, war veterans emphasised their exclusive role in the liberation struggle. Kriger (2003:1, 88) argues, "This assertion of superiority over liberation movement activists was a major shortcoming of guerrilla veterans' politics. It alienated that segment of society [civilians] from guerrilla veterans' struggles" (also see Kriger 2006:11). War veterans by themselves were not a structured group at that time. It was only later that the ex-fighters realised that they needed to organise themselves if their agendas were to be achieved. Thus, in 1989, they sought approval from the ruling party to form a social organisation (Kriger 2006:1154) and named it the ZNLWVA. The purpose of this association, registered as a not-for-profit, non-partisan membership organisation, was to cater for welfare needs of the former fighters, most of whom had become destitute. As Mhanda (2011b) observes, the formation of the ZNLWVA was meant to turn war veterans from being "war veterans in themselves" to become "war veterans for themselves". The ZNLWVA began to mobilise and advocate for social and economic inclusion. Consequently, the party-state enacted a War Veterans Act in 1992 to clarify how ex-combatants were to be treated (War Veterans Act [Chapter 11:15]) – and possibly to politically contain them, another strategy of hegemonic construction. This new association did not achieve much between its formation and 1994. However, from 1995 onwards, war veterans through ZNLWVA began to aggressively demand compensation for their role in the liberation struggle. In August 1997, the party-state succumbed after war veterans had embarked on continuous demonstrations. The party-state undertook to compensate and pay them pensions (Kriger 2006:1162). In November, a lump sum gratuity of Z$50 000 (US$4000) was announced, to be followed by monthly pay-outs of Z$2 000 (US$150), and other benefits such as a 20 per-cent share of all repossessed land. (Bond 2001:36; Moyo and Murisa 2008:90). Mhanda (2011b) says Mugabe had his back to the wall when he succumbed to the demands by ex-freedom fighters. These gratuities and pensions had not been budgeted, and this had serious negative impacts on the economy as the Zimbabwean currency tumbled 75 per cent of its value on the 14th of November 1997, the day later referred to as the "Black Friday" (Raftopoulos 2003:7; Chagonda 2011:15).

This did not really trouble the ruling class that much because the construction of a hegemony is contingent on the development of a political group with the ability to go

beyond its class's immediate economic corporate interests, albeit for future gain (Morera 1990:167). Therefore, making concessions to other groups in order to gain them over as allies becomes not only desirable, but also necessary. Awarding gratuities to war veterans was a gambit move, sacrificing present loss for future gain. Thus, after the war-veterans' pay-outs, despite the economic damage associated with it, relations between the party-state and the ZNLWVA became cooperative (similar means and goals) as they started working very closely henceforth. Before long, when ZANU-PF realised that its popularity was waning and was likely to lose the 2000 parliamentary elections, it enlisted the assistance of what Mhanda (2011b) calls "rogue war veterans" organised under the banner of ZNLWVA to campaign as well as intimidate voters to vote for ZANU-PF. The ZNLWVA also became very useful to the party-state during the land occupations that followed the 2000 elections as most of those who invaded farms were members of the association (Zamchiya 2011; 2013).

The pay-outs to war veterans further defined the locus of the ZNLWVA in the rapidly developing polarisation between the ruling party and the emergent oppositional civil society discussed in the next chapter. From that moment onwards, the ZNLWVA became involved in serious human rights violations, as will be detailed in Chapter 6. However, a section of war veterans who were not happy with what the ZNLWVA was doing decided to assert its opposition by forming another war veterans' association in 2000. Chronology would demand that it be discussed much later, but because the objective of the chapter is to demonstrate the polarisation dialectic, it becomes logical to discuss the Zimbabwe Liberators Platform (ZLP) in this chapter.

The formation of the ZLP.

In 2000, Wilfred Mhanda, a former senior commander of the Zimbabwe African National Liberation Army (ZANLA) and founding member of ZIPA, came together with other war veterans from ZIPRA and ZANLA to form the Zimbabwe Liberators Platform (ZLP).[56] Mhanda was appointed head of ZLP. The idea to form this organisation was rationalised as necessary to salvage the honour of war veterans' reputation tarnished

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[56] Wilfred Mhanda was a senior commander both in ZANLA as well as in ZIPA. In 1977, together with other ZIPA commanders, he was detained by Robert Mugabe in Mozambique only to be released at the eve of independence in 1979. Henceforth, he has been opposed to Mugabe's leadership.

by actions of the ZNLWVA, whose leaders had forsaken autonomy and aligned themselves to ZANU-PF (Interviewee 46). Furthermore, ZLP was formed to help the nation refocus on the ideals of the liberation struggle which were freedom, democracy, social justice, respect for human dignity and peace (Mhanda 2011a:218).

Mhanda (2011b) explains how in a climate of lawlessness and anarchy perpetuated by war veterans loyal to ZANU-PF, it became difficult for war veterans with alternative views to be heard. This is where the need to form ZLP to represent alternative views and interests of non-partisan war veterans arose. Predictably, from its formation, the ZLP got onto a collision course with the party-state, and its counter-position to the ZNLWVA invited "party-state repression" immediately (Mhanda 2011b). Its officials endured arrests and detentions, as was the case with other civil society activists perceived to be oppositional to the ruling party. The fact that ZLP was viewed by the state as an appendage of the MDC meant classifying it as anti-ZANU-PF and part of those groups sponsored by western governments to advance a regime change agenda. ZLP did receive substantial funding from donors, but this was hardly unique, since even the ruling party had received foreign funding since its formation (Moore 2005). However, the timing of its formation placed ZLP at the centre of the polarisation debate, wherefore its emergence was interpreted as oppositional to the party-state. As time went-by, ZLP was compelled by context to work closer with other oppositional organisations as will be examined in Chapter Six.

Conclusion

From the preceding discussion, several explanations can be given for the splits that occurred within the nationalist movement. Various attempts were tried to forge unity within the movement, especially between ZAPU and ZANU. However, all these attempts did not succeed in bringing a permanent solution until 1987 when ZANU-PF and PF-ZAPU signed a skewed unity agreement, which represented ZANU-PF conquest. What is not in doubt, however, is that while peace remained elusive during the liberation period, the phenomenon of polarisation became institutionalised, and was detrimental to the prosecution of the liberation struggle. The major drivers of this polarisation were defined within the framework of leadership (or lack thereof) and ethnicity, however with an acknowledgement that other differences might also have

contributed to the phenomenon. The abstraction of polarisation in no way suggests that there were no internal contradictions within particular nationalist parties. It simply isolates the phenomenon so as to understand its contemporary effects in the construction of hegemony in Zimbabwe.

The formation of ZNLWVA and ZLP, which was part of the development of the civil society sector in Zimbabwe, and the subsequent political alignments each of these two organisations preferred, buttressed the polarisation dialectic. Through these two organisations, and others in the following chapters, Gramsci's notions of civil society as a site of hegemonic construction, counterpoised with political society, which is mainly a site of force, are brought to life. The next chapter expands on the historical and contemporary development of civil society, specifically the labour and the student movements.

CHAPTER 5
LABOUR AND STUDENT MOVEMENTS: HISTORICAL AND CONTEMPORARY DEVELOPMENT OF CIVIL SOCIETY

Introduction

Many authors have alluded to the chronic underdevelopment of civil society in Zimbabwe (Jonathan Moyo 1993; Sachikonye 1995b; Helliker 2012a; 2012b). Sam Moyo, Makumbe and Raftopoulos (2000:xii) observe that the colonial government developed a political strategy based on marginalisation of a majority of the black population. This suppression inhibited the development of civil society and suffocated most forms of non-governmental organising. Despite the above, dynamics of industrialisation and access to education by blacks, albeit contrived, led to increased urbanisation, the subsequent creation of the working class and growth of the intelligentsia. This working class and inchoate intelligentsia became the grave diggers for colonialism as will be discussed below.

Post-independence, the new government purported to adopt an inclusivist approach to governance, and thus went on to co-opt the nascent civil society sector. Just as was the case with other colonised states such as India (Guha 1982:37; 1997), the coercive nature of Zimbabwe's (Rhodesia) colonial state outweighed the persuasive cultural hegemony of its civil society, and this phenomenon continued beyond independence where the unevenly developed ruling class sought to assert its hegemony mainly through force. While the colonial state's strategy was exclusionary, the post-colonial ruling class used inclusionary strategies to stifle the development of civil society. In Zimbabwe, the party-state weighed heavily on the few civic organisations in existence just after independence, mostly formed at the party-state's behest. Old and new organisations were "encouraged" to support the new ruling class. This chapter, therefore, will examine the subtle and sometimes confusing processes of how both the colonial and post-independence governments differentially inhibited the organic development[57] of civil society despite attempts by citizenry to partake in civic activities (Masunungure 2008:58; McCandless 2012:11).

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[57] The meaning of "organic development" will be contextualised below.

Historical development of civil society in Zimbabwe

Jonathan Moyo (1993:6) identifies two historical factors that explain the underdevelopment of civil society in Zimbabwe. The first, which relates to an observation also raised by Sam Moyo *et al* (2000) concerns the colonial policies before and after the Unilateral Declaration of Independence (UDI) in 1965. The second concerns the actions and policies by the post-independence government. Policies promoted during the colonial period sought to criminalise political activities within black communities. This meant that politically oriented civil society organisations were asphyxiated and discouraged from operating (Masunungure 2008:58-9). Movements such as workers' unions, student groups and political parties were subdued in order to make them politically irrelevant. During that period, social organisations that were tolerated would have been those that offered little political threat to colonial authorities. Indeed, as Mlambo (2014:129) and Moyo *et al* (2000:xiii) also note, post-conquest, African mobilisation was characterised by the emergence of a variety of self-help organisations, mutual and solidarity associations such as burial societies, and ethnic cultural groups. Some of these formations were parochial groupings that offered no substantial value to members except to be used to pass time and to help forget the savagery that was visited on blacks by the settlers. Of course, in the late 1940s, workers' unions (mainly railway and municipal) emerged and offered some level of resistance to the *status quo*. But this was still nascent and not sanctioned by the colonial government. Thus, the organic development of civil society in the country was inhibited, and this had a long lasting impact on its future development (Moyo 1993:6).

White settlers also frustrated the development and growth of civil society by confining blacks to the realm of tribal existence (Moyo 1993:6), in the process stifling the development of a national identity amongst blacks. Moyo quotes a Native Commissioner boasting of successfully emasculating blacks and therefore keeping them out of politics. The Commissioner, reporting to his superiors, wrote:

> At present there is absolutely no cohesion among the natives, each little tribe is, as it were, opposed to the other, a certain amount of jealousy has naturally arisen amongst the Indunas, [and] this jealousy has been fostered by me as it is the most politic form of governing natives (Moyo 1993:6).

One of the earliest civil society organisations in Zimbabwe was the Industrial Commercial Workers' Union (ICU), formed in 1927 mainly by migrant workers from South Africa (Zeilig 2007:99). Its objectives were to serve as a voice to oppose

municipal and national segregation laws; and to protest against police harassment. It also agitated for better working conditions and wages for black workers. Its reach extended to rural areas where it managed to galvanise Africans across ethnic origins. Even though the threat posed by ICU to the establishment was marginal, its formation planted the seeds of unionism, and indeed startled the authorities. As a response, in 1934, the settler government passed the Industrial Conciliation Act (ICA), a piece of legislation that prohibited the formation of black trade unions. This relegated black unions such as the ICU to illegality, and weakened unionism for years to come.

Even though the period up to the early 1940s witnessed the establishment of a number of African non-state organisations (including unions and social clubs), African political interest was generally muted and marginalised. However, from the late 1940s, political consciousness witnessed buoyancy as more workers defied the ICA and formed more unions, which led to more organised workers' strikes. Notably, in October 1945, railway workers embarked on a widespread strike demanding improvements in working conditions, better accommodation and against rising inflation (Vickery 2001:127,131; Nhema 2002:67-8; Mlambo 2009:96-7). In October 1947, Bulawayo Municipal African employees embarked on an intermittent strike that spread to include other towns during 1948. Thereafter, more unions were formed, and the tendency to operate within narrow confines of colonial legislation became increasingly discarded (Mlambo 2009:96-97; Zeilig 2007:100).

Henceforth, a strong interpenetration between political parties and other African organisations, especially unions, became common. Thus, the 1963 ZAPU/ZANU split (discussed in Chapter 4) also affected such organisations. For example, even though the nascent labour movement had its own discord in 1962,[58] a more serious split in the movement came as a result of the ZANU/ZAPU split in 1963 when the Southern Rhodesia African Trade Union Congress (SRATUC) linked itself with ZANU while the Zimbabwe African Congress of Unions (ZACU) joined ZAPU (Mlambo 2009:103). This would be the start of a long tendency by political parties to try and keep labour unions under their control. The tendency continued beyond 1980, notably with the formation of ZCTU as a wing of the ruling party – through to ZCTU's close relationship with the

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[58] Southern Rhodesia Trade Union Congress (SRTUC) had split to form SRATUC led by Josiah Maluleke and ZACU led by Reuben Jamela. The splits were partly nourished by the confusion of whether to affiliate with European and American international labour federations or to join the communist block of federations (Mlambo 2009:103).

MDC from 1999 onwards, however, with spasms of relative autonomy at certain points.

Post-Independence development of civil society.

The attainment of majority rule in 1980 allowed the new government to expand the provision of social services to people who were previously victims of segregation policies. Government invested heavily in education and health under the slogan "education and health for all by 2000". Between 1980 and 1990, the number of primary and secondary schools increased by 80% from 3,358 to 6,042, with primary school enrollment rising from 1,235,994 to 2,119,865 in that period (Muzondidya 2009:169; Mlambo 2014:209). This expansion escalated to tertiary education as enrolment at the University of Zimbabwe increased from 1,481 to 7,699, an increase of 420 per cent between 1980 and 1988 (Zeilig 2006:102). Concomitant growth also happened in other colleges such as teacher training institutions, which resulted in a massive increase in the number of trained teachers, in turn improving the education system at primary and secondary levels. Figures for trained teachers rose from 18,483 in 1979, to 60,886 in 1989 (Kanyongo 2005:67; UNESCO 2001:4-5). This, together with increased provision of other social services fed into each other to improve both the quantity and the quality of services that the new government availed. These gains were assisted by the rapid economic growth experienced in the first two years of independence, which averaged 12% per annum, and external financing, which rose from $157 million in 1981 to $533 million in 1982 (Muzondidya 2009:169). In return, emerging civil society, excluding those affected by *gukurahundi*, felt indebted to the state, which they thought was on the correct path. Thus, workers, students and intelligentsia supported the new government's programmes and the consensual side of its hegemony was boosted.

The environment described by the preceding paragraph contextualises the second factor that Moyo (1993:6) identifies as responsible for the underdevelopment of civil society in post-colonial Zimbabwe. It concerns real and perceived milestones and policies achieved by ZANU-PF in the first years of independence. The ruling party declared itself to be an umbrella organisation of all social movements, and sought to embrace all pre-independence revolutionary forces. It had also committed itself to establishing a government based on democracy, social justice and equality

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(Muzondidya 2009:174). To effectuate this notion, Prime Minister Robert Mugabe, in his 1981 New Year's Eve speech, told the nation that as Zimbabweans "…our new nation now demanded of us either as individuals, or communities, a single loyalty that is a proper and logical manifestation of our national unity and spirit of reconciliation" (Moyo 1993:7). Indeed, as McCandless (2012:37) observes, at the close of the first decade of independence, the ruling party had a substantial degree of hegemony, established not only through the discourse of unity and reconciliation, but also through the threat of, and actual violence as was the case in the troubled regions of Matabeleland. Consequently, many civic organisations and popular initiatives formed in cooperation with, or under patronage of the ruling party as it sought to spread its authority nationwide. Its project of hegemonic construction was on the rise.

The regime also benefitted from deploying state institutions to structure and legitimate its political dominance. Different state institutions propagated the ruling party's ideology which approximated Marxism at the time, with substantial amounts of money directed towards availing free education and access to health for citizens. Social services were availed to many who were previously excluded. Coercive forces and material resources at the state's disposal were shrewdly fused to construct the ruling party's hegemony. The notion of development was both refracted and reinforced through ideological claims derived from the liberation struggle. Universal principles of the post colony – unity, development and nation building – were aligned with interests of the ruling party in advancing both personal and corporate goals. Thus, at times the use of coercive force against society, such as the *gukurahundi* unrests and state violence against striking workers, were rationalised by ruling classes as part of nation-building and development (Dorman 2001:26). All social formations were challenged by the ruling party to join it as a way of showing their revolutionary and patriotic commitment. Jonathan Moyo (1993:7) characterises this tendency as exclusion by inclusion. It inhibited the growth of autonomy of the civil society sector. All organisations that resisted this "inclusion" were branded as sell-outs bent on working for the enemy, perpetuating the polarisation dialectic of "us versus them". Looked at closely, this was not different from Mugabe's 1960 polarising statement that whoever opposed the NDP was opposing the people's will and must be prepared to be "boomeranged" (Doran 2017:11). Those organisations and individuals who succumbed to "inclusion" became contrived because their autonomy was sequestrated. Ironically, Jonathan Moyo became "included" and changed from being

a critic of the party-state to become one of its greatest defenders.

Over the years, the party-state adopted a political position that exhibited continuities with the colonial regime. It became unreceptive to criticism from anyone and as such, criticism was viewed as a threat to gains of the nationalist struggle (Saunders 2001:136; Muzondidya 2009:175). The party-state depicted a "we have arrived, no need to complain" attitude. Consequently, two major players in the post-independence civil society arena, the labour movement as well as the student movement, submitted themselves to the directorship of the ruling party (Muzondidya 2009:178). However, this turned out to be a temporary submission as the honeymoon soon ended in the late 1980s. The following sections detail how this happened, and how it concomitantly served not only to buttress the polarisation dialectic, but also to chip away the ruling party's hegemony

Labour Movement Post-Independence

At independence, the labour movement was the most developed section of civil society in relative terms. There were at least six national trade union federations,[59] but the National African Federation of Unions (NAFU) and African Trade Union Congress (ATUC) were the most dominant, and were explicitly linked to ZAPU and ZANU respectively (Sachikonye 1995b:132; Vickery 2001). The dawn of independence, despite its enormous benefits, also brought some challenges for workers (Rutherford 2001:197; Sachikonye 2001:89). The political landscape was now dominated by nationalist parties that had worked very closely with trade unions during the colonial period (Bhebe and Mahapa 2014:69). The new ruling class sought to build hegemony, and the best way to achieve this was to seek a closer relationship with workers through labour unions (Sachikonye 2001:90-1). Thus, on 28 February 1981, the ZANU-PF government brought together fifty two unions belonging to disparate federations and formed one national federation, the Zimbabwe Congress of Trade Unions (ZCTU) (Rutherford 2017:60). Alfred Makwarimba and Albert Mugabe (a brother to Robert Mugabe), both members of ZANU-PF, were elected president and secretary-general

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[59] Beyond the 1960s, trade unions had split and multiplied to form the African Trade Union Congress (ATUC), the National African Trade Union Congress (NATUC), the Trade Union Congress of Zimbabwe (TUCZ), the United Trade Unions of Zimbabwe (UTUZ), the Zimbabwe Federation of Labour (ZFL), the Zimbabwe Trade Union Congress (ZTUC) and the National African Federation of Unions (NAFU).

respectively. It was no surprise therefore, that for almost a decade post-independence, the ZCTU had a very close working relationship with the party-state. This relationship, of course, did produce some benefits for the workers. Of note is the improvement in the legal framework within the first decade of independence. These included the 1980 Minimum Wages Act, enabling government to periodically set minimum wages for workers, the Employment Act of 1980 and the Employment (Conditions of Service) Regulations of 1981, which protected workers from arbitrary dismissal by employers.

ZCTU – State relations: 1980-1990.

A few weeks after independence elections in 1980, and prior to the formation of ZCTU, relations between workers and the state were put to test. A series of wildcat strikes, not organised by any union, took place and spread throughout the country (Saunders 2001:135-6). The strikes acted as a warning to ZANU-PF, which immediately took a position to keep labour on a tight leash. For example, in a strike by public sector workers in October 1981, strikers were brutally attacked by state security agents, and within days, 900 of the strikers were detained, 200 given suspended sentences, while 80 were fired (Saunders 2001:137). Thus, union members who had hoped for autonomy after independence were left bleeding by the ruling party's tactics. The party, fearful of what an independent workers' union could do, including exposing contradictions in the ruling party's ideology, decided to influence the trajectory of the labour union by determining its leadership. This new leadership found nothing wrong in protecting the state by occasionally suppressing shop-floor action. In 1981, for example, Albert Mugabe, ZCTU Secretary-General said the following to workers:

> Strikes do more harm than good. We do not need to retard economic progress by arranging strikes… There are some bad eggs in the union movement…There are some people in the movement who go out looking for difficulties and try to be difficult. We will watch them closely and discourage striking as much as we can (Saunders 2001:139)

Due to the policy of reconciliation adopted at independence, the state also kept a close – but autonomous – working relationship with employer organisations such as the Confederation of Zimbabwe Industries (CZI), the Commercial Farmers' Union (CFU), the Zimbabwe National Chamber of Commerce (ZNCC) and the Employers' Confederation of Zimbabwe (EMCOZ). This was meant to ensure that even after an

almost wholesale overhaul of the political sector, the economic sector should remain competitive not only by retaining white capital, but also attracting new foreign investment to ensure the creation of more employment opportunities. The relations the party-state sought to build with both labour and employers showed a quintessential process of hegemonic construction by the ruling class. However, in the long run, the state failed to strike a balance as employer associations, dominated by whites, not only "…maintained their independence from state control, but also increased their political power and policy influence over the ruling party, especially in economic affairs" (Moyo 1993:8; cf. Ndakaripa 2017:93-9). This would have angered workers.

In 1985, the party-state, sensing increasing restlessness amongst workers, passed the Labour Relations Act (1985), which aimed to restrict workers' collective action. It distinguished between public sector and private sector employees. Employees in the former were banned from participating in normal bargaining procedures. In fact public sector unions were prohibited from joining the ZCTU or its structures. The same legislation also curtailed industrial action by certain sectors of the workforce who were classified as "essential services" (Saunders 2001:139). This clause in essence illegalised most of the workers' strikes from 1985 onwards because of the ease by which the minister could alter the essential services list. The ever-present threat of being arrested decreased the number of strikes sharply, and workers were left disempowered. Others blamed this on the weakness of their union leaders some of whom were actually dissuading workers from partaking in strikes, as did Albert Mugabe, cited earlier.

The collapse of the ZCTU leadership at its 1985 congress gave the federation a lifeline through the election of relatively autonomous leaders drawn from professional unions (van der Walt 1998:104; ZCTU 2014). The election replaced nearly everyone in the national leadership – an indication that the federation was charting a different path from the previous executive. In early 1988, ZCTU further strengthened its leadership at a special congress by electing a new secretary-general and president, Morgan Tsvangirai and Gibson Sibanda respectively. As a way of asserting its autonomy, in August 1988, the new leadership renounced the federation's previous call for representation within ZANU-PF structures (ZCTU 2014; Dorman 2001:79). The disengagement was a way of breaking with the past, but concomitantly led to confrontation with the party-state, and the creation of an edifice to occupy the other side of the polarisation dialectic vacated by PF-ZAPU in 1987.

Several reasons led to the souring of relations between labour and the ruling party. Not least of these was ZANU-PF's proclivity towards a one-party-state system, which had been murmured within party circles since attaining independence (Moyo 1991:83; Musarurwa 1991:143, Mutambara 1991:139, 2017:30).[60] As Doran (2017:627-8) observes, legally, it would have been difficult to introduce a one-party state because of the constitutionally enshrined ten year stay on alterations to the bill of rights. But after the unity agreement was consummated, the ruling party, especially its Legal Affairs Secretary, Edson Zvobgo, thought they would sneak in such a system by "simply winning all seats in the next election", which was due in 1990. However, during this period (1988-1990), the ZCTU emphasised its position on the need for political pluralism, and its opposition to the one-party state, which was an open challenge to the party-state hegemony. Around 1988, ZCTU showed solidarity with the student movement when student leaders were arrested for staging an anti-corruption demonstration (Zeilig 2006:96; Magaisa 2015b). Thus, ZCTU had begun to broaden its scope beyond narrow worker demands, while taking advantage of the little space provided by political liberalisation brought about by the ZANU – ZAPU pact of 1987 (Saunders 2001:141). ZCTU became a *de facto* voice of opposition in the absence of a strong opposition party (Mlambo 2014:205). Polarisation boundaries, which were supposedly obliterated by the 1987 Unity Agreement, were quickly retraced, now with ZCTU and other civic organisations occupying the other side. And as Guha (1997:23) states, the practice and dynamism of hegemony is such that even at its most persuasive moment, hegemony is always, and necessarily open to resistance. Thus, the position taken by the labour movement around this time formed a resistance that announced the movement's period of militancy, which is the subject of the next section.

Labour movement's militancy period: 1990 to 2000

The year 1990 was a watershed moment in Zimbabwe's political economy. Besides being the year when the twenty-five year old state of emergency was allowed to lapse (Matyszak 2009:133; Ncube 2001:108; van der Walt 1998:99), it was also the year

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[60] For more on ZANU-PF's flirtation with the idea of a one-party-state, see Mandaza and Sachikonye (1991) and Doran (2017:628-632).

when the government formally adopted the economic structural adjustment programme (ESAP). ESAP was adopted supposedly as a panacea to cure the ailing economy, which was losing gains achieved in the early to mid-1980s. As succinctly argued by van der Walt (1998:92), ESAP's thrust involved policy reforms such as currency devaluation, trade liberalisation, and the reduction of the economic role of the state (this entailed cutbacks in public jobs, welfare services and removing wage controls). It was marketed as aimed at promoting higher growth which would lead to the reduction of poverty and unemployment by; (a) reducing fiscal and parastatal deficits and instituting prudent monetary policy; (b) liberalising trade policies and the foreign exchange system; (c) carrying out domestic deregulation, and (d) establishing social safety nets and training programmes for vulnerable groups[61] (Weaving 1996; Kanyenze, Kondo, Chitambara and Martens 2011:37). ESAP dismantled many state imposed market controls as it sought to unlock and transform the country's economic system to a more open, market driven one. It was a highly formalised programme that sought to transform mainly the formal sector. As a result it concentrated on the urban economy and not so much in rural areas where the majority of poor Zimbabweans resided, but its effects hit the rural people very hard.

As a result of market deregulation and reduction of recurrent expenditure in the public sector, by 1992, barely a year after the commencement of ESAP, many companies had closed down and over 25,000 people had lost their jobs (Kanyenze *et al* 2011:38-9; Mlambo 2014:216). By 1994, expenditure on health-care had declined by 39% from 1990 levels, while *per capita* annual expenditure on health declined from Z$58 in 1990-1 to Z$36 in 1995-6. This resulted in what were termed "ESAP deaths" – the dying of low-income people who could no longer afford treatment. By 1996, 62% of the population was living below the poverty datum line, and 38% more were poorer than was the case in 1980 (Mlambo 2014:216-217; Zeilig 2007:107). Between 1991 and 1997, the manufacturing sector lost more than 50,000 jobs, while within the same period ZCTU membership slumped from 1,5 million to 1 million (Southall 2017:4). ESAP had a deleterious effect on the 1980s' gains in social services.[62] The introduction of school fees, including at primary level, meant that parents who could

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[61] Mlambo (2014:215) provides a fully expanded list of aims and targets of the programme and its implementation.
[62] Kanyenze et al (2011) provide a sector by sector exposé of ESAP negatives which confirms its deleterious effects.

not afford fees withdrew their children from schools, with the girl child affected the most. ZCTU concluded that the outcome achieved by ESAP was "permanent joblessness, hopelessness, and economic insecurity for the majority and the mortgaging of Zimbabwe's economy to foreign capital" (Raftopoulos 2001:8).

The implementation of ESAP served to further strain relations between the labour movement and the party-state. Retrenchments, removal of subsidies and the deregulation of prices on basic goods meant its impact was extremely severe on the poor, many of whom had lost their jobs, both in the public and private sectors. By 1994, party-state and ZCTU statistics showed that about 30,000 people had lost their jobs since the beginning of ESAP, and unemployment had risen from 32,2 per cent in 1990 to 44 per cent in 1993 (Muzondidya 2009:188).The austerity affected public sector workers the most. Besides the fact that their wages were very low, they were constrained from collective bargaining processes, meaning in real terms their wages had been decreasing over the years.

Once pushed to the edge by the effects of ESAP, the poor moved towards militant agitation to air their grievances (Muzondidya 2009: 195). Between 1995 and 1996, general strikes, mainly by government workers, escalated. Coercive responses from the state also increased. The public sector strike of June 1996 was the largest ever organised by civil servants in post-independent Zimbabwe. This eight week strike by teachers, nurses, doctors and other government workers was supported by student groups, human rights groups, churches and the ZCTU (Zeilig 2007:109), signifying a convergence of thought and action within the civil society sector (Raftopoulos and Phimister 2004:358). Such convergence strengthened the polarisation dialectic, with the anti-party-state side gaining more support while the party-state's influence and hegemony declined. The party-state responded by declaring the strikes illegal, detaining union leaders and refusing to negotiate. These strikes, including those in the agricultural sector (Rutherford 2017) paralysed the country and delivered a hard blow to the state's image of unchallenged authority (Muzondidya 2009:195). In the process, the ZCTU grew in stature as it began to demonstrate its capacity to organise and mobilise through stay-aways and rallies that drew huge numbers of people.

In January 1997, food riots erupted over sharp increases in the price of basic food stuffs. These worsened at the end of 1997 after the state hinted it would introduce a new tax to offset the cost of massive pension awards given to war veterans. The involvement of the Zimbabwe National Army in the protracted DRC war from 1998

onwards did not help the situation either as it gobbled not less than one million US dollars a day (Chagonda 2011:15; 2012:85; McCandless 2012:40, Mhanda 2011b). Pay-outs to war veterans and the DRC war led to a fiscal crisis. A tough economic environment ensued, and this led to a crisis of hegemony. Thus, battle lines were drawn between the party-state and some sections of civil society, and the party-state's hegemony continued to collapse as polarisation intensified. This worsened when an opposition party was formed later in 1999. This, however, was after the labour federation had split into two.

Split in the Labour Movement: The emergence of the ZFTU.

In order to maintain some measure of control and influence within the labour movement, the ruling party, either by design or default, influenced the formation of an alternative labour federation, the Zimbabwe Federation of Trade Unions (ZFTU). It was formed in July 1998 by Alfred Makwarimba, the founding president of the ZCTU, who was dumped at its 1985 congress. Since its formation, ZFTU struggled to assert itself partly because the ZCTU was very popular during that time, riding on the political wave brought about by economic decline in the country. Secondly, when ZFTU was launched, it was closely associated with the party-state (Moyo and Murisa 2008:88; Magure 2009:170). Very few workers, and indeed unions, were willing to risk joining a federation associated with a party perceived to be on its way out.

However, between 1999 and 2001, there were some members of ZCTU who also felt that their union was too close to the MDC and was therefore neglecting its core responsibility of attending to workers' issues. The shifting of key personnel from the ZCTU to the MDC in 1999 did not help the situation. The new leaders of the MDC and ZCTU had direct communication with each other, and depended on each other, making the accusation that they were too close undeniable. When influential union leaders such as Morgan Tsvangirai, Gibson Sibanda, Lucia Mativenga and Gift Chimanikire left ZCTU to take-up top positions in the new party, ZCTU structures suffered. The party-state sought to take advantage presented by this opportunity to swell the leadership ranks of the ZCTU with its members. On the other hand, the MDC still wanted to maintain dominance of the federation. As a result, two clearly polarised factions developed within the ZCTU, one sympathetic to ZANU-PF, with the other

strongly linked to the MDC. These power struggles, together with the fact that ranking officials had left ZCTU to lead the MDC, weakened the organisational power of the federation, making it vulnerable to infiltration, further exacerbating its internal problems (Interviewee 40).

Between 1999 and 2001, while trying to take charge of the ZCTU, ZANU-PF had sought to influence some ZCTU affiliates to enter into a social contract with the party-state, disguised as returning labour relations to a consensual framework in which strikes and stay-aways would be put to an end. After failing to hijack the ZCTU this way, ZANU-PF paid outstanding affiliation fees for some ZCTU affiliates that were in arrears, with the intention of influencing their vote in the next congress (Dorman 2003:860; Interviewee 40). However, at the 2001 ZCTU congress, the MDC-aligned faction prevailed and elected Lovemore Matombo and Wellington Chibhebe as president and secretary-general respectively. The losing faction, in whose midst was Joseph Chinotimba, a war veterans' leader and Harare City Council employee, decided henceforth to work closely with ZANU-PF to resuscitate the ZFTU that had been formed in 1998 (Dorman 2003:860).

ZFTU's official position on its relations with ZANU-PF, however, is that it is an autonomous federation that has the same right of existence as the ZCTU, and that ZANU-PF played no role in its formation. Furthermore, while acknowledging that it is a breakaway from the ZCTU, ZFTU argues that its emergence was necessitated by ZCTU's close relations with the MDC, which distracted the ZCTU from its core business. The ZFTU loathed the MDC because it believed the party was sponsored by capital, and would therefore be conflicted when it came to worker issues (Interviewee 26). Matombo and Sachikonye's (2010:118) position is that the ZFTU was formed to counter ZCTU, and to exacerbate divisions within the labour movement, and to dilute the strength of labour in opposition politics.

The context and the processes surrounding the promotion of the ZFTU indicate that it was not only to foment dissension amongst unions, but to also make it an appendage of ZANU-PF. Rutherford (2017:30) observes this when he says ZFTU was a federation promoted by ZANU-PF. Firstly, the person who formed ZTFU in 1998 was president of the ZANU-PF aligned 1980-85 ZCTU. Thus, from its formation, the ZFTU had traces of ZANU-PF blood coursing in its veins. Secondly, after Chinotimba and his colleagues lost in the 2001 ZCTU elections, they worked through the ZANU-PF labour committee to resuscitate ZFTU. From 2001 onwards, ZFTU enjoyed government support,

enabling it to visit factories to forcefully encourage the immediate formation of splinter unions, reversing the long held position of one industry, one union promoted by government since 1980 (Dorman 2003:860).

With state support, the ZFTU gained extensive access to state media. As Matombo and Sachikonye (2010:118) indicate, it also received substantial party-state assistance such as accessing stadiums and speakers for its rallies. The party-state also sponsored major soccer clubs to make appearances at ZFTU-led May Day rallies in order to draw crowds and to embellish its support. For example, in 2002, the ZCTU failed to secure its traditional May Day venue, Rufaro Stadium, because the party-state had already secured it for the ZFTU (*Daily News 2002*). Matombo and Sachikonye (2010:118,127) also chronicle additional strategies adopted by the party-state and ZFTU to destabilise the ZCTU. One of them was to "clone" ZCTU affiliates in order to confuse workers, especially those in remote areas were information was scarce. An example is the formation within farm workers a union called the Horticultural and General Agriculture and Plantation Workers' Union of Zimbabwe (HGAPWUZ), whose name is hardly distinguishable from the General Agriculture and Plantations Workers' Union of Zimbabwe (GAPWUZ), an established affiliate of the ZCTU. The other reason for this close naming would have been to facilitate competition for funding with the original organisation, which was receiving substantial support from donors (Rutherford 2017:11).

The polarisation of the labour movement was also characterised by factory invasions. Mimicking farm invasions, factory invasions involved ZFTU members who were led by war-veterans leader Joseph Chinotimba.[63] The invasions were aimed to force workers to sign stop-order forms, authorising their employers to deduct subscriptions from their wages and submit them to ZFTU. They were being forced to become members of ZFTU. Asked if it was true that ZFTU was occupying firms and forcing workers to join the federation, Chinotimba responded as follows:

[The] union was forcing the signing of stop orders by those workers who were failing to understand that the ZFTU is now the only trade union capable of representing them… We were given the mandate to do so by government. I want to tell you, we are the current government. We have to talk to the workers but if they stand in our way we will be forced to make them dance to our tune. If they want to remain with the ZCTU then they should go to other countries and not

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[63] Farm invasions and land reform, including the fast track land reform in Zimbabwe has been written about quite extensively. Some of the references include Moyo, Rutherford and Amanor-Wilks (2000); Moyo (2009; 2011); Moyo, Chambati and Murisa (2009), Scoones, Marongwe, Mavedzenge, Mahenehene, Murimbarimba and Sukume (2010) cf. Zamchiya (2011) Rutherford (2012; 2017).

stay in Zimbabwe. They should wake up and realise that we are the only recognised trade union in this country (*Zimbabwe Standard 2002*).

Chinotimba, thus confirmed that ZFTU was working in partnership with ZANU-PF and that indeed the federation was forcing people to join.[64] He also confirmed the union's disposition to violence when he said "…but if they stand in our way we will be forced to make them dance to our tune". Again, this intolerance and monopolistic tendencies were not different from those shown by the National Democratic Party through Mugabe's statement in 1960. Chinotimba's statement confirmed that ZFTU's *raison d'être* was to decimate ZCTU so that ZFTU can be a monopoly in labour unionism.

A former cabinet minister interpreted the ZCTU – ZFTU polarisation as follows:

> Equally, when the state responds, it also recognises that there is space it must occupy as well, using civil society. So it actually deliberately creates its own civic society. Support for organisations such as the ZFTU are actually created as a counter at ZCTU... What then happens is that it becomes so clear and evident that the arena of civic society becomes a contested space, it gets into a binary lockdown. The binary lockdown is not between those that are pro-democracy or whatever, the binary lockdown is now simply are you for the MDC or you are against the MDC, another way of putting it being that are you for ZANU-PF or you are against ZANU-PF? Civil society then makes the mistake of allowing itself to be balkanised along this false binary, the correct binary being are you for human rights and for democratisation or not (Interviewee 38).

By engaging in oppositional politics, organising anti-party-state demonstrations and leading the formation of MDC, ZCTU not only concretised the polarisation dialectic after the 1987 Unity Agreement, but also defined its position in the dialectic. It also confirmed its counter-hegemonic positioning, which the formation of the MDC would just concretise. Equally so, the formation of ZFTU and its close links to the party-state confirmed ZANU-PF's recognition of labour as a powerful actor in the polarised politics of Zimbabwe, or put differently, in the construction of hegemony. The ZFTU is smaller than ZCTU, but its membership and impact is not insignificant. Though figures were difficult to verify, the federation's deputy secretary-general indicated a membership of 140,000 people throughout the country in 2015, including those in the informal sector. Most of its membership came from the vast sugar industry in the South-Eastern parts of Zimbabwe where ZFTU enjoyed monopoly because it forced ZCTU out of the sector (Interviewee 26; Centre for African Journalists 2017).

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[64] During the time of factory invasions, Joseph Chinotimba was the president of ZFTU, now he is ZANU-PF Member of Parliament.

ZCTU and the formation of an opposition party.

The party-state responded to the challenge to its authority by drifting further away from dialogue towards repressive measures of control, marking the beginning of a protracted period of violent conflict between labour and some state institutions (McCandless 2012:40). The tone of workers' strikes and state responses between 1992 and 1998 should be understood within this context. Talks about the formation of an opposition party should also be understood within this confrontational context. In 1997, the National Constitutional Assembly (NCA), an institutional platform formed by the Zimbabwe Council of Churches (ZCC), ZCTU and other organisations to advocate for a national constitution came into being.[65] Its first priority was to deal with matters, relating to the possibility of drafting a new constitution for the country. However, later on, the NCA became a platform through which a political party, the Movement for Democratic Change (MDC) was formed. On the 26th of February 1999, a National Working Peoples' Convention (NWPC) was convened by the NCA, ZCTU and 38 other NGOs and residents' associations. The main resolution of this convention was a movement towards the formation of the MDC (ZCTU 2000:130).[66] One of the main participants in the NWPC, who is also a former minister, recalled:

> The MDC was born out of our struggles to achieve a new constitution in Zimbabwe. So the NCA was key in the formation of the MDC… The MDC would be created normatively out of the NWPC held on 26 February 1999. The NWPC was a gathering of civic organisations. The MDC was born out of civic society. So the question "what is the MDC" becomes relevant because the MDC becomes an acknowledgement by civil society that the battles which we were fighting, whether they were for constitutional reform or for better wages, or for better laws… were not sufficient unless we had political reform. This is why resolution number 11 of the NWPC is a resolution that now says we as the civic societies are now acknowledging that all these things that we are talking about we will not achieve them unless we have political reforms and therefore we need a political party or movement (Interviewee 38).

This is how the Movement for Democratic Change (MDC), modelled in the form of Zambia's Movement for Multi-Party Democracy (MMD), was born on 11 September 1999. The ZCTU played a major role in the formation of the MDC, and ZCTU's

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[65] More about the NCA will be discussed in the next chapter.
[66] At an informal discussion in April 2015, I was informed by Brian Kagoro (one of the key figures directly involved in processes which led to the formation of the MDC) that the idea to form a workers' party was decided at the National Working People's Convention, where some random woman had stood up and proposed that for everything that had been discussed to succeed, there must be a political party to push that agenda. However, based on the discussion thus far, I am of the view that when the NWPC was convened, the idea of forming an opposition party had already been conceived by some of those involved. The formation of a labour-backed opposition party in Zambia could have acted as an example for social organisations in Zimbabwe to emulate.

structures became the launch-pad for the party's structures (Zeilig 2007:114).[67] The labour union also released a bulk of its leadership, including its secretary-general, Morgan Tsvangirai and president, Gibson Sibanda to become president and vice-president of the new party respectively. In hegemonic discourse, the MDC arrived in an environment already polarised. Thus, its friends and enemies were already pre-determined. Just as Masipula Sithole (1999:31) contextualised his 1967 arrival into a polarised ZAPU/ZANU dialectic in the United States, myths, realities and peer pressure discouraged the MDC from befriending the other side of the polarisation divide.

Thus, it was developments such as the introduction of ESAP, its rapacious effects, worker strikes, the party-state's responses, constitutional debates, and the formation of the MDC, which forced the intensification of confrontation between the party-state and the labour movement. It was left to the party-state to respond, and together with its increasing doses of repression, it did respond by sponsoring another labour federation as earlier alluded, in the process strengthening the polarisation dialectic, particularly within labour. The polarisation experienced within the labour movement was not only a mirror image of the binary nature of party politics at the time, but also a confirmation of the active role that political parties played in polarising workers. Polarisation became a process and product of the battles by the party-state to maintain hegemony through co-option, violence and delegitimising the ZCTU. For its part, the opposition-aligned ZCTU-NCA-MDC alliance tried its best to fashion and strengthen an alternative mode of hegemony. The same can be said about the student movement, as the next section will illustrate.

The Student Movement as part of civil society

Pre-independence students' movement

In Zimbabwe, when one talks about student activism, the concept is mainly limited to tertiary institutions. It is not common to have school children partaking in activities with political connotations out of their own volition. There are historical exceptions, however, where some secondary school students participated in the liberation struggle

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[67] Also see ZCTU (2000) for more on processes that preceded the formation of the MDC, and the relationship it shared with the ZCTU

as articulated by Mhanda (2011a:12) below:

> Amongst the notable achievements of our university group was the successful organisation of the first simultaneous countrywide demonstrations by senior secondary schools against the discriminatory salaries awarded to black teachers… Two weeks in advance of the action, we organised ourselves and recruited others into groups that were dispatched to major secondary schools… The demonstrations took place on the set day in June with all major high schools – Tegwani, Empandeni, Goromonzi, St. Augustine's, St. Ignatius, St. Mary's and Fletcher High School – participating. The students had all been advised to march to the nearest urban centre and demonstrate with their placards. In some cases the police had run-ins with students armed with Molotov cocktails.

During the liberation struggle, there were a number of rural schools that actually closed after students deserted (or were kidnapped) to join the liberation war. Considering all the above, it would be fair to suggest that the student movement in Zimbabwe has its roots in the colonial period, when racial division of services, including access to education, was the norm rather than the exception[68]. Zeilig (2007:117-8) says the following in recognising the role played by students during the nationalist struggles:

> The University of Rhodesia became an increasingly militant site for student activism in the 1960s. From the university, students developed their nationalist politics and supported the wider struggle against the Rhodesian state. In many ways, the campus based organisations mirrored nationalist politics outside the university. In the early 1970s, black students in the university had been expelled for leading demonstrations and organising political groups on campus, and became members of a student intelligentsia that helped lead the nationalist movement in exile and the guerrilla war inside Rhodesia.

Indeed liberation war veterans such as Wilfred Mhanda, Witness Mangwende and others left the university in the early 1970s to join the armed struggle. Nationalist parties such as ZANU and ZAPU had underground cells at the only university at the time, the University of Rhodesia (now the University of Zimbabwe).

Students as a distinct group command a position worthy of recognition in a complex web of societal organisms because of the belief that institutions of higher learning are environments that produce ideas and must therefore tolerate academic freedom. Makunike (2015:35) says tertiary education institutions provide an environment that is conducive for critical thought and oppositional politics. The self-contained nature of a university environment creates a unique political and social space for activism (Zeilig 2006:97). In Zimbabwe, learning institutions fed into the war of liberation by being recruitment centres, producing many military and ideological cadres of the struggle

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[68] For more on pre-independence student activism, see Cefkin (1975); Mlambo (1995); Dorsey (1989) and Shizha and Kariwo (2011)

(Mhanda 2011a:10,14). Higher learning institutions naturally provide a mass concentration of young intelligent people operating under the umbrella of academic freedom (Magaisa 2015a). Their intellectual enquiries introduce them to new ways of thinking and protest. It is in this context that Zimbabwean students in the 1970s engaged in activism meant to negate the racial arrangement of life in society.

There is not much literature on the student movement pre-independence in Zimbabwe. However, Mlambo (1995); Makunike (2015) and Zeilig (2006; 2007) give some snippets of students' activism during that period. Makunike (2015:35-6) categorises three phases of student activism in Zimbabwe. The first (1957 to 1980) is the entirety of the period before Zimbabwe attained its independence. The second phase covers most of the first decade after Zimbabwe's independence, specifically from 1980 to 1988, and the third begins from the late 1980s up to the present. Zeilig (2007) on the other hand distinguishes four distinct periods, three of which are almost similar to those identified by Makunike (2015), but splits Makunike's last phase into two to distinguish between the period when students had just severed their close relations with the party-state, and the second one which began around 1995 when students decided to coalesce with other pro-democracy forces (Zeilig 2007:107). These phases are examined below.

In 1963, African students at the University College of Rhodesia and Nyasaland (later to be the University of Zimbabwe) formed the National Union of Rhodesian Students (NURS). This was necessitated in part by the fact that the then Student Representative Council (SRC), which had very negligible African representation, seemed to be ambivalent to broader racial discrimination at the university. The NURS was also formed in part to continue with activities of the nationalist parties banned under the Law and Order Maintenance Act (Makunike 2015:40).

As part of the anti-colonial processes, students at the university regularly partook in several demonstrations to complement the nationalist agenda. They occasionally occupied the University Principal's office in protest against racial discrimination. They also implored the university to employ more Africans and demanded wage increases on behalf of the general workers. The following are a few examples. In June 1973 there was a demonstration by students against an invitation for the University of Rhodesia to send a delegation to the Association of Commonwealth Universities in Edinburgh. NURS regarded the invitation as tantamount to endorsing racialism prevalent at the university (Zeilig 2007:123; Makunike 2015:41).

On the 27th of July 1973, university students also held a demonstration outside the House of Parliament and Office of the Prime Minister to protest against allegations made in parliament by a white lawmaker that black students were not using ablution facilities, resulting in filthy conditions at the university. On 29 July 1973, African students occupied parts of the administration block, and among their demands was that "50% of all administrative and teaching posts at the university be filled by Africans" (Mlambo 1995:476; Makunike 2015:41). There was also the famous "Pots and Pans" strike of 3 August 1973 where black students locked away tea urns and utensils in order to ensure university officials were deprived of their morning tea (Zeilig 2006:98; 2007:123). They also confiscated tools used by grounds men to force African employees to stop working until their wages were increased (Mlambo 1995:477).

However, the most severe of the demonstrations was on the 7th of August 1973, which Mlambo (1995), a participant, writes about. This was just an hour-long action in which students reacted to the outcome of a disciplinary hearing that had recommended the suspension of four and expulsion of six students' leaders who had organised the "pots and pans" demonstration. A large group of African students had gathered, waiting for the verdict. After it was announced, they walked away peacefully. But on passing the Administration Block, they ran berserk as Mlambo (1995:478) recalls:

> All hell broke loose as students stoned the building, smashed windows and sent the white secretaries in the building scurrying for cover. At this point the police and their dogs went into action and a running battle ensued as the riot escalated.

In a riotous act that lasted for about an hour, damage to property was estimated at 7,000 Rhodesian dollars, and 155 students were arrested. Of the 155 arrested, 99 were sentenced to prison terms. Upon release they were barred from coming within 20km of the city, making it impossible for them to continue with their studies. These expulsions forced most students to escape to neighbouring countries to join the liberation struggle (Mlambo 1995:480; Zeilig 2006:99)

Beyond the 1973 demonstrations, student activism seemed to quieten following the restrictions and expulsions. This is probably why some writers (e.g. Hwami & Kapoor 2012:36) claim that student activism in the 1970s was muted and ineffective, and that students failed to develop clear strategies that could link them to broader local struggles (Zeilig 2006:101). However, underground contacts between students and nationalist parties continued, and the need for covert activities required an obedient

and disciplined student cadre who had to act and behave according to the directives of the nationalist leaders, often operating from outside the country (Zeilig 2006:97). The import of such covert activism was to develop student cadres who were not very critical of nationalist parties (Zeilig 2006:101), as will be seen in the next section.

Post-independence student movement.

The second phase of student activism in Zimbabwe, which Zeilig (2006:108) describes as state-privileged activism, due to the "rarefied and privileged existence" of students at that time, started at the dawn of independence in 1980. Students during this period were a pampered section of society, being educated to run the post-colony (Zeilig 2007:21:128). Most graduated to be absorbed by the public service, which unfortunately increased state bureaucracy but not the productive capacity of the country (Moore 2010:757). This period was characterised by student activism that was in support of the ruling party's efforts to consolidate the "gains" of independence. As Zeilig (2007:35) observes, in most post-colonial countries, both the student and university became national bodies bearing national responsibilities. Students could not continue to be part of a political vanguard contesting state authority; rather they had to become part of the project of reconstruction and development. Thus, between 1980 and 1988, university students embarked on several actions that were in support of government, such as when they marched in support of the party-state's heavy clampdown in Matabeleland, with some demanding to be trained and armed to go fight the "dissident epidemic" in Matabeleland (Dorman 2001:75; Magaisa 2015b). Some even shouted slogans denigrating the ZAPU leader, Joshua Nkomo. This was despite the fact that the clampdown grossly violated human rights and immensely affected civilians (CCJP & LRF 1997). It is therefore surprising that Mutambara (2017:29) writes in his autobiography that students only became fully aware of the extent of the *gukurahundi* massacres at the end of 1989.

Through the party-state, ZANU-PF and students developed an amiable rapport and worked closely together between 1980 and 1988. The import of this was the development of a student movement that nurtured an incestuous relationship with the party-state (Magure 2009:174; Magaisa 2015b). In fact, ZANU-PF structures on campus vetted candidates for the SRC president, strengthening the bond. After the

1985 national elections, the University of Zimbabwe SRC actually wrote a letter to Mugabe and assured him that "We are fully behind you and that we are in step with you in our march towards the set and desired goal of socialism" (Dorman 2001:75).[69] Another action in support of the party-state was in 1986 when students demonstrated at the South African and American embassies after the death of the Mozambican President Samora Machel (Rule 1986; Zeilig 2006:104; Hwami and Kapoor 2012:37), who was alleged to have been assassinated by the apartheid regime.

This pro-government phase came to an abrupt end around 1988 when students started anti-corruption demonstrations. However, when these demonstrations began, students were still content with ZANU-PF's hegemony, believing that only a few corrupt and misguided bad apples were intent on soiling the good image of the party-state. Thus, students embarked on these anti-corruption demonstrations believing they were supporting Mugabe's anti-corruption drive (Mutambara 2017:24-5). It was only after Mugabe chastised them and their actions that it dawned on students that they were not in sync with the party-state. This moment signified the first fissures of disengagement from the party-state, and from that point onwards, students, *en masse*, became an irritating oppositional force (Zeilig 2006:101; Mutambara 2017:25).

There was an attempt to further crystallise student autonomy through the formation of the Zimbabwe National Students' Union (ZINASU) by the Arthur Mutambara-led SRC in 1989 (Magure 2009:175; Makunike 2015:46).[70] ZINASU's objectives amongst many were to unite tertiary students throughout the country and to create a platform for students to advocate not only for academic freedom, but also for socialism and the empowerment of youths. However, most of these goals were not achieved because the idea of a united student movement (ZINASU) failed to resonate with students from other institutions of higher learning who perceived ZINASU as dominated by students from the University of Zimbabwe (Magure 2009:188). ZINASU was to be revived later in 1997 by the University of Zimbabwe SRC led by Learnmore Jongwe.

In October 1989, students held another demonstration, this time against police brutality. This led to the arrest of popular student leaders such as Arthur Mutambara and Munyaradzi Gwisai. They were thrown into Chikurubi Maximum Prison, and

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[69] See Mutambara (2017:15-33) where the basis of student support for the ruling party and its proposition for a one party-state is explained.
[70] Mutambara led the University of Zimbabwe SRC from 1988. In 2006 he was invited to lead one of the MDC factions, and in 2009, became one of the two Deputy Prime Ministers in the inclusive government formed as a compromise after the bloody 2008 run-off.

detained for six weeks for organising the 4th October demonstration (Zeilig 2006:96 and Magaisa 2015b). When ZCTU Secretary-General Morgan Tsvangirai issued a statement in solidarity with the students and denunciating the arrests, he too was thrown into prison and endured a two week's detention (Dorman 2001:76; Zeilig 2007:84; Mutambara 2017:27). His arrest brought students and labour closer to each other. Some lecturers, such as Kempton Makamure and Shadrack Gutto were arrested too, accused of assisting the students (Magaisa 2015b). Thus, when the first decade of independence drew to a close, politically active students had transformed from admirers of Mugabe to become an oppositional force (Hwami and Kapoor 2012:38; Zeilig 2007:131). They began to see a broader picture far beyond the enclaves of academia and studentship, and started to identify themselves and their actions as "the voice of the voiceless" (Zeilig 2007:43; Magaisa 2015a; Mutambara 2017:26). The party-state henceforth began to see them as "rival politicians rather than students" (Zeilig 2007:21). Together with the ZCTU, students started swelling the other side of the polarisation boundary. This was manifest in 1990 when students took an active role in the development of Edgar Tekere's Zimbabwe Unity Movement (ZUM),[71] which was proof that they were yearning for a new political dispensation.

All in all, a concoction of events forced the student movement to terminate its cordiality with the party-state. These included the heavy handedness of state security agents against students, corruption (for example the Willowvale motor scandal[72]), ZANU-PF's proclivity towards a one-party-state, the adoption of liberal policies (ESAP), and enactment of the University of Zimbabwe Amendment Act in October 1990.[73] All these combined and fermented turmoil from the students during that period.

Zeilig's (2006) fourth distinctive period of student activism starts around 1995 when students began to converge sharply with many other oppositional forces, including workers, human rights and constitutional movements. Thus, the fragmented approach

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[71] ZUM was a political party formed by the former ZANU-PF Secretary General Edgar Tekere when he was expelled from the party in 1988. Students flirted with ZUM for some time. In fact, around that time, they had held an on-campus demonstration demonising ZANU-PF for censuring the maverick Tekere for his anti-corruption and anti-one party-state position (Magure 2009:175). With the help of the students, Tekere's ZUM went on to win 20% of the overall vote in 1990, and two parliamentary seats (Dorman 2001:71; Nhema 2002:163).

[72] For more on the scandal see Coltart (2016:185-7).

[73] The University of Zimbabwe Act of October 1990 sought to curtail academic freedom and to enhance the authority of the state over the university. The Act gave the country's president enhanced powers to appoint the Vice-Chancellor, taking the power away from the University Council, and also gave the VC excessive powers to suspend any student or member of staff before a disciplinary hearing is conducted (Makunike 2015:46; Magaisa 2015a).

to oppositional politics, which was the norm when Jonathan Moyo (1993:9) made his diagnosis of "student hooliganism and irresponsible conduct", became history. Students' shift from narrow sector activism to a broader one was a realisation that an end to the Zimbabwean crisis lay in confronting issues of national scope, rather than celebrating small successes of a much bigger problem. Thus, from the 1990s onwards, ZINASU became a key player in civil society, because its grievances were not dissimilar from those of other "progressive" movements. This explains the convergence of oppositional forces from that period onwards, and the concomitant creation of a counter-hegemonic movement.

Many leaders of the emergent civic organisations between 1997 and 2000 were former leaders in the student movement. In 1997, former student leaders (such as Tawanda Mutasa, Deprose Muchena, & Brian Kagoro) played a major role in the formation of the NCA. In 1999, students, through ZINASU, also participated in the National Working People's Convention, and formation of the MDC. In February 2000, they contributed successfully to a campaign that led to the rejection of the Constitutional Commission's draft constitution (Muzulu 2010). Many more former student leaders went on to be active in opposition parties.

The above relations post-1989 illustrate the linkages that developed between ZINASU and democracy-aligned civil society in the country, leading to political collaboration. However, these links also predetermined friends and contacts for the students churned into politics and broader society, reinforcing the polarisation phenomenon. This could have irritated some students and politicians, who decided to form a new student union in 1998, as discussed in the next section.

Split within the student movement: Formation of ZICOSU (1998)

Between 1998 and 2014, the crux of student activism was a balance between student-specific demands such as decreased student grants, poor, sometimes non-existent student accommodation, and generic economic and political problems in the country. Such activism became a threat to the ruling class. The party-state responded to this threat to its hegemony in several ways. Serious violence perpetrated by police and secret agents against student leaders became common between 1998 and 2003. While some were arrested, beaten and left for dead in the middle of the night, others

were expelled or suspended for long periods from their institutions. Others had to complete their studies in foreign universities (Interviewees 4; 9 & 23). Beside use of coercion and infiltration by intelligence operatives, the party-state also used what was known as the "scorched earth" policy (Magaisa 2015b). This is when a protagonist in a conflict slashes and burns everything in order to starve the enemy. The party-state began by reducing and eventually cancelling student's loans and grants to starve student activism (Mashininga 2011). Secondly, the state stopped the SRCs' budget vote from universities and colleges, and made it very difficult for student leaders to organise. Students' militancy was also demobilised when their campus residences were closed in June 2007, forcing them to disperse and commute from their homes (Interviewee 4). This, together with ZINASU's lack of autonomy from the MDC, created cleavages within the student movement. Hence, a rival student union, the Zimbabwe Congress of Student Unions (ZICOSU), emerged.

ZICOSU was formed in 1998 by students who were not happy with ZINASU and wanted an alternative student body (Interviewee 42). Popular opinion is that the party-state had a hand in the creation of ZICOSU. The motivation would not have been different from that of creating ZFTU – to rival an established union which had drifted towards opposition. Student leaders of that era explained the emergence of ZICOSU thus:

> ZOCOSU is a splinter student movement that government set up. It was fully supported by government and it represented views that were opposed by ZINASU. Students viewed it as a creation of ZANU-PF because leaders of ZICOSU were allowed to speak anytime they wanted to in state media, the *Herald* and Zimbabwe Broadcasting Corporation. Most of the time when they spoke, they would support the government and they were invited to government functions (Interviewee 5).

Another one said:

> To be precise it was a counter-hegemonic project created by ZANU-PF trying to dilute the effectiveness of ZINASU. You will discover that at one point the University of Zimbabwe became sort of a "one-party state", but later some people in ZANU-PF decided that it could not leave the university as an unoccupied space. Therefore, they tried to make inroads and this was through the formation of ZICOSU. They took advantage of some students who, in the process of student activism, had become malcontents, and these became the people who were then used to form ZICOSU (Interviewee 13).

A member who served in the ZICOSU executive some years after its formation countered:

> If you look at ZINASU, it had monopoly when it came to student issues. It was one ZINASU representing the needs of all students. Then came 1999 when ZINASU participated in the formation of the MDC. At that moment it was no longer wholly presenting students. It was now representing students from the views of the MDC… Thus government decided to have a student union to represent students' unbiased views (Interviewee 36).

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The first two views contradict what the founding president of ZICOSU, Gabriel Shumba said:

> The history of ZICOSU, formed in 1998, is full of distortions for the reason that the students sympathetic to the ruling ZANU (PF) have over the years high jacked the union which was started with very noble goals of diversifying and amplifying the student voice… As my activism and work testifies, I was never a creature of ZANU (PF), neither then nor now. My secretary-general, Jacob Rukweza, became a councilor in the Movement for Democratic Change. One could also argue that an organisation is a juristic person whose credentials are distinct from its members. If we accept this argument, all we have to do is to look at the original Constitution of ZICOSU. That constitution is unequivocally clear about the non-partisan objectives of the Union. Thus, I can only characterise what transpired later in ZICOSU as identity theft (Interviewee 42).

The ZICOSU member cited above seem not to have understood the origins of his organisation. However, his views on the role of the state in the formation of ZICOSU shows the amount of work the party-state has done to reclaim some support from the student movement. Mlambo (2013:203) cites several instances where ZICOSU openly displayed support for ZANU-PF. In the run up to the 2008 elections, ZICOSU took a position that supported Mugabe's presidential bid fully. This was counter to a position taken by ZINASU to support Tsvangirai. In April 2011, ZICOSU staged a demonstration in solidarity with Mugabe at a Southern Africa Development Community (SADC) Troika Summit on Zimbabwe held at Livingstone, Zambia. Again, later in that year, ZICOSU attended a ZANU-PF Congress held in Bulawayo, and publicly declared its full support for Mugabe, his leadership and the party's economic and land policies, in contrast to ZINASU whose discourse centred on human rights, rule of law and good governance.

What is clear, and acknowledged by ZICOSU's founding president, is that its formation resulted in more than just polarisation within the student movement. It complicated polarisation by adding more layers and levels to the binary. Polarisation by itself creates cleavages, and in turn cleavages buttress polarisation. In situations where such cleavages occur in polarised polities, it becomes difficult to contain their domino effect since differences quickly fit into the broader polarisation dialectic. This is what happened within the student movement in Zimbabwe. On one hand was ZINASU, which strongly believed student issues could not be abstracted from broader problems in the country. This belief saw students aligning themselves to opposition forces, even going on to actively partake in the formation of opposition parties. On the other side, ZICOSU, a union that emerged allegedly to refocus students away from partisan politics, later became an admirer of ZANU-PF. This is the hollowing of the

middle phenomenon evident in polarisation processes.

In the following years, while hostilities between ZINASU and ZICOSU intensified, so did their intra-group contradictions, fermented by contradictions within political parties and organisations (Interviewees 4 & 36). Thus, ZANU-PF and MDC-T's internal problems spilled over to affect other organisations linked to them, including the student unions. For example, between 2010 and 2012, ZINASU had two parallel structures, one working very closely with the MDC-T, while the other worked closer to the NCA.[74] For some time, ZICOSU had its own internal problems linked to ZANU-PF succession politics. All this was because leaders of political parties did not shy away from influencing the outcome of leadership contests within these student unions. It seems a lack of ideological compass rendered student unions rudderless, and therefore prone to misuse and abuse by those who had resources. It is no wonder therefore, that by 2010, student activism in Zimbabwe was facing imminent death (Muzulu 2010).

The phenomenon of polarisation meant that those students (and workers) who had hoped for alternative autonomous platforms to communicate their views were jeopardised as the centre hollowed. Thus, chances of any other student union emerging became slim.[75] The argument advanced here is that as long as the polity in Zimbabwe remains polarised, so will the student movement. The effect will be its further weakening as the two unions will continue to package and couch their grievances and possible solutions within the framework of the parties aligned with them. As a result, the ideological content of the student movement will continue to suffer.

Conclusion

The preceding words have established that both the colonial and the post-colonial state actively worked to enervate the organic development of civil society in Zimbabwe. While the colonial state achieved this by shrinking the legal space that

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[74] After their terms in ZINASU expired, the pre-split secretary general of ZINASU went on to be the secretary general of the MDC Youth Assembly, while the former vice-president went on to work in the MDC President's office. The former president became a leader in the NCA and the former spokesperson became the information officer of the NCA.

[75] The weakness of other unions such as the Zimbabwe International Student Union (ZISU) formed in 2015 (Kachiko 2015) and Student's Voice formed in 2016 (Mananavire 2016) demonstrate the desire for an autonomous union, but the hollowing of the middle phenomenon makes it difficult for them to survive.

would have enabled civil society to grow, the post-colonial state sought to contain civil society through co-optation, ideological persuasion and coercion. This affected civil society's growth and autonomy. The students' and labour movements were nurtured by the ruling party at independence under the pretext that ZANU-PF was a socialist party representing universal interests of all social formations. But as Shumba (2018:37) notes, no clear Marxist programmes were developed at independence, and hence the anticipated socialism could not hold. The clauses on land redistribution (e.g. "willing buyer willing seller") in the Lancaster House Agreement militated against the implementation of a socialist ideology. It is no wonder therefore, that by close of the first decade, cooperative relations between the party-state and workers had collapsed. This period coincided with signing of the Unity Accord between ZANU-PF and PF-ZAPU, a process that narrowed opposition politics.

The collapse of state – society relations from the late 1980s onwards did present an opportunity for the crystallisation of the civil society sector. Major organisations coalesced as argued in this chapter, while donors also rushed to assist the sector. This created a political outlet for opposition politics to be exercised in the absence of strong opposition parties. This successfully prevented the institutionalisation of a one-party-state in the country – but also preserved the duality approach to politics. Thus a polarised political environment endured beyond signing of the unity agreement when emergent civil society quickly occupied the other side of the polarisation dialectic.

New organisations such as the National Constitutional Assembly, the Zimbabwe Human Rights NGO's Forum and Crisis in Zimbabwe Coalition emerged. Their emergence represented a shift towards more liberal discourses of human rights, good governance and the rule of law. These are some of the organisations that began to complement the ZCTU and ZINASU in challenging the party-state's authority, mainly under the framework of human rights and constitutionalism. However, the state was aware of the threat to its hegemony posed by such organisations, and therefore also moved to occupy the civil society space through sponsoring and co-opting some organisations. This strategy led to the further crystallisation of polarisation, mainly between the party-state and counter-hegemonic civil society formations. This is the subject of discussion in the next chapter.

THE HUMAN RIGHTS ALLIANCE AND THE PARTY-STATE – CONSTITUTIONALISM, ANTAGONISMS AND PARTNERSHIPS IN A "DEMOCRACY"

Introduction

Randeria's (2002:8) trenchant argument that debates about civil society are also debates about modernity, pluralism, social cohesion, boundary shifts between the public and private spheres clarifies why contemporary notions of civil society are invoked as coterminous to democracy. This chapter examines the emergence of constitutional and human rights civil society in Zimbabwe, and argues that this was a manifestation of the citizenry's democratic aspirations. These aspirations congealed around 1997 when social unrests were concretised through the formation of alliances such the National Constitutional Assembly (NCA) and Zimbabwe NGOs Forum. These new associations complemented the foundational role played by ZCTU and the student movement towards democratisation of the polity.

This chapter will also interrogate how the state, resembling a giant beast awakening from a deep slumber, responded to crystallisation of this autonomous civil society. The period from 1997 to 2002 witnessed a cocktail of struggles informed by resource redistribution matters combined, often contradictorily, with constitutional and human rights ones. This produced a bifurcated convergence of liberal-political and radical-political economic discourses. The convergence served many purposes, not least being the perpetuation and crystallisation of the polarisation dialectic as redistributionist politics (which were limited to land) quickly blended with party-state policies to challenge the social-democratic, but increasingly liberal discourse advanced by the emergent civil society. This became the basis of the party-state and civil society relations that ensued between 1997 and 2008.

Alliance formation and consolidation

Moore (2008b:1) observes that from approximately 1998, Zimbabwe has been dangling on a precipice where "intricate complexes of rules, processes and arrays of alliances of social and political forces combine to present quite different socio-

economic systems and modes of governance". The precipice that Moore refers to was a result of several political events around that period, such as the awarding of gratuities to war veterans by the party-state, the formation of the NCA by a constellation of civic organisations, and the subsequent formation of the Movement for Democratic Change (MDC) by civil society. These events interrupted the dominance of a single party in Zimbabwean politics, but never quite brought change in how the country was governed, signifying a case where the old seemed to be dying, but the new could not be born yet (Gramsci 1999:556). The period was also characterised by sharp ideological differences (nationalism versus Social/liberal democracy[76]), formation of alliances, and a socio-economic crisis – issues that further intensified the polarisation dialectic that almost became institutionalised in the country's politics.

By 1997, the labour movement, which since 1988 had drifted further away from the liberation party, was the strongest civil society organisation, and thus became the most suitable location for developing a counter-force that could be capable of wrestling state power from the ruling party. For this reason, it is used as an entry point to discuss the crystallisation of the human rights movement. Neighbouring Zambia had provided an example of how labour unions can stand up against a liberation movement in a quest to champion multi-partism (Chanda 1995; Tsvangirai 2011:297).

The development of a counter-force is only possible if disparate organisations in civil society come together to form alliances, and to mediate disparate interests, welding them together as was the case in Zimbabwe when the NCA and the MDC were formed. It is precisely for this reason that political organisations are formed and institutionalised in order to represent different private and public interests. This study argues that in Zimbabwe, this is what led to several leading civil society organisations, including the ZCTU, the students' union ZINASU, different churches, women's organisations, human rights NGOs, and many others, to come together in 1997 to form the NCA, and later the MDC.[77] These disparate associations, upon realising the futility of presenting dissimilar and competing interests to a government that had neither the

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[76] In his autobiography, Morgan Tsvangirai (2011:295) observes that the MDC was a social democratic party, but he also acknowledges the ideological fault lines that played themselves out as early as 2000 when he appointed Eddie Cross as secretary for economic affairs, and Cross immediately came up with an economic blueprint that propunded "unbridled free market philosophy", which was in conflict with social democracy. Other senior MDC senior members were active members of liberal international forums, signifying lack of ideological clarity in the party.

[77] The NCA was formed on the 14th of May 1997, but was formally launched on the 31st of January, 1998

resolve nor the capacity to attend to such interests, coalesced around a broad, but condensed and pragmatic single demand for a new constitution. When the state failed to adjudicate on this demand to the satisfaction of civil society between 1998 and 1999, the ZCTU-NCA-civil society alliance went on to advance their interest through the formation of a political party to compete for state power (Moyo and Murisa 2008:71).

While the formation of the NCA was taking place, there was also a rearrangement of chairs in the party-state's deck. The Zimbabwe National Liberation War Veterans Association (ZNLWVA), an organisation traditionally linked to ZANU-PF but at that time threatening to converge with labour and students, drifted back towards its long-time ally after its members were paid the 1997 gratuities, and promised pieces of land (Raftopoulos 2001:11; 2003:229). This parallel process enabled two clearly visible alliances to crystallise. These two aggregations in turn solidified the binary between what looked like human rights-social democrats versus the nationalist-redistributive ideological thrusts (Moyo and Murisa 2008:98-100). Moyo and Murisa (2008:94) summarise this alliance formation by saying:

> Thus, from 1997, a new era of policy influence and contestation of political power, and of land and development policy, emerged and was characterised by the opening of political space for civil society advocacy. This space was created by both the war veterans and labour unions, and provided a conjunctural opportunity for new forms of alliance building, such as the 1998 ZCTU-NCA alliance…Whereas the alliance between the ZCTU-NCA and the MDC was urban in character, ZANU-PF co-opted and remobilised the war veterans, some national capitalists and peasants into a recreated liberationist movement challenging the MDC alliance on the grounds that the later involved protecting the interests of white farmers, domestic and foreign capital and allegedly because it received moral and material support from the West.

The formation of alliances, together with career opportunism for some, fostered the expansion of the civil society sector in the country. This is the period that gave birth to the radical nationalist-redistributionist (ZANU-PF and ZNLWVA) and democracy-good governance-human rights (ZCTU-NCA-MDC) alliances that fuelled the intensification of the polarisation phenomenon up to 2009. These two subgroups are not very different from Moore's (2004:409; 2008:7) two lefts, the *patriotic agrarianists* who "advocate for rights dependent on the construction and consolidation of domestic ruling classes"; and *critical cosmopolitans* "whose arsenal of rights are clearly more in the realm of liberties than in the socio-economic arena". The later group's articulation of issues however, included a strong "emphasis on democratic participation in processes of material production as well as ideological freedom and pluralistic modes

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of political representation" (Moore 2004: 409). The agrarian patriots, made up of war veterans and allied groups, were soon adopted as the shock troops of the ruling party between 1997 and 2002 (Mhanda 2011b; Bond 2001:36) as will be discussed later. Thus, Mhanda (2011b) observes,

> There was a lot of violence and well documented cases of human rights abuses in election campaigns from 2000 onwards that encompassed murder, rape, torture, destruction of property and internal displacement on perceived ZANU-PF opponents. All these heinous actions were attributed to war veterans. The defeat of ZANU-PF government's constitutional review proposals in February 2000 saw the involvement of war veterans in violent farm invasions under the banner of the so-called 'fast track land resettlement programme'. This marked the beginning of the involvement of war veterans in the country's economic processes.

The behaviour of this section of the war veterans, together with its co-optation into ruling party politics is what drove other former liberation fighters to form the Zimbabwe Liberators Platform (ZLP), as discussed in Chapter Four. On the other hand, the oppositional civil society's programmes got tied to the MDC's, and espoused more of the liberal understandings of democracy, that encapsulated the economic arguments along the lines acceptable to the IMF and the World Bank, which in a way exposed it to criticism from the party-state (Campbell 2003). Thus, as time moved on from Moore's (2004:409) observations cited above, "agrarianists" became more authoritarian and "critical cosmopolitans" became more liberal.

The above categorisations, including those developed by Ncube (2010:110-1) – hegemony legitimising civil society *versus* hegemony-resisting civil society, and Helliker's (2012b) radical-nationalists *versus* 'liberal-democratic' discourses – show the dichotomisation of the polity in Zimbabwe. Moyo and Yeros (2011b:90), even though correctly alluding to the existence of polarised political alliances, narrow the description and composition of these two blocks to those propounding radical nationalism (ZANU-PF) versus the liberal human rights block.[78] Their approach is problematic because it sanitises ZANU-PF's role within its alliance to simply fulfilling a nationalist agenda demanded by the black bourgeoisie and the rural landless. It ignores other deep seated interests such as personal accumulation desires by those within ZANU-PF and the patronage gained by associating with the party-state, as captured by Zamchiya (2011:1118) and Southall (2013:142-3). Furthermore, Moyo

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[78] Moyo and Yeros (2011b:90) argue that on one side of the binary was the aspiring black bourgeoisie and the rural landless organised by war veterans, all under a ZANU-PF banner, and propounding radical nationalism. They saw the other side as made up of international capital, all sectors of white bourgeoisie, a small section of black bourgeoisie, NGOs and the ZCTU, all under the MDC and advocating for liberal human rights and regime change agenda.

and Yeros' characterisation narrows the understanding of democracy to simply human rights and regime change. Democracy, as espoused by the ZCTU-NCA-MDC alliance did not necessarily exclude notions of redistribution and nationhood, as Moyo and Yeros suggest. Interestingly however, towards the end of their chapter, Moyo and Yeros inadvertently contradict themselves when they conclude that the party-state and its alliance lacked a collectivist and democratic strategy from the beginning:

> Nonetheless, the shortcomings of the new strategy were also painfully evident, in a record-setting hyperinflation and, consequently, in the inability of the state to jump-start the economy. Indeed, it is its failure to implement a collectivist and democratic strategy from the beginning that has undermined the ability of the state to withstand sanctions and to bring the economy under control, given that it is impossible to control an economy whose strategic production decisions remains in private hands (Moyo and Yeros 2011b:94).

The peripheralising of other important discourses is also observed by Yeros (2002:4) and Raftopolous and Phimister (2004:376) who argue that civil society concerned itself more with ensuring free and fair multi-party elections while cognisant of the "bourgeois" nature of this platform. Equally, pro party-state alliance endorsed the radical ruling party's programmes, while also cognisant of the later's democratic deficits. This triggered the polarising forces that this study has tried to outline. Indeed, ZANU-PF's notions of nationalism were exclusionary. This exclusion affected labour and student movements, who were also part of liberation struggles. In the same breath, the peripheralisation of socio-economic rights and redistribution policies by the human rights alliance, together with its ideological vagueness, contributed to a faltering counter-hegemony.[79] The constitutional movement, discussed below, was part of these processes.

Constitutional movement, democracy and the party-state.

The formation of the NCA in 1997 and the Constitutional Commission in 1999 signalled the foundation of a bifurcated constitutional movement. However, to lay a proper

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[79] Members of the MDC and NCA interviewed indicated that the need for land redistribution was an issue first raised at the National Working People's Convention, and ZANU-PF only adopted it later and ran away with it (Interviewees 17 & 38). Though appreciation of these issues was captured in some opposition civil society's documents and policies, such issues never got to be prominent in their programming and activism, sometimes to the extent that pro-ZANU-PF forces interpreted this peripheralisation as a sign of opposition to such policies. Indeed even the NCA draft Constitution of Zimbabwe (2001) did not have a specific section/reference to deal with issues of land reform and general economic transformation, despite the apparent need to deal with such issues at the time of its drafting.

foundation, a short history of constitutionalism in Zimbabwe is in order.

History of constitutionalism in Zimbabwe

The 1997 to 2000 bifurcated constitutional-making process was probably the climax of constitutional reform processes in Zimbabwe's history since 1922, when the mandate of the British South Africa Company (BSAC) ended. Ndulo (2010:177-8) writes about a referendum held in 1922, which sought to clarify the constitutional structure to be adopted by Rhodesia (Zimbabwe), specifically whether to self-govern or to become part of the Union of South Africa. The majority of white voters opted for a responsible government rather than incorporation into South Africa. Henceforth, Rhodesia became a self-governing British colony headed by a prime minister. This constitutional dispensation persisted until August 1, 1953 when the Central African Federation, made up of Southern Rhodesia (Zimbabwe), Northern Rhodesia (Zambia) and Nyasaland (Malawi) was created by Britain and came with its own Federal constitution.

At the end of 1960, moving to 1961, there was manoeuvre towards another constitutional dispensation, partly motivated by increasing Black Nationalism as described in the previous chapter. This 1961 draft broadened further than previous constitutions. It allowed an increased number of Africans to vote in national elections. Nationalist leaders, precisely Nkomo, George Silundika, Chitepo and Sithole participated in the Constitutional Conference held in Salisbury (Harare), and initially agreed with the outcome, only to recant later after their constituency criticised their decision (Moore 1990:100; Doran 2017:6). The repudiation was based on the fact that the Constitution's provision of franchise to Africans was premised on educational and economic requirements, which was an exclusionary proposition (Mlambo 2014:149).

The next Constitution was adopted in 1965 at the declaration of unilateral independence (UDI) by the Ian Smith-led government, to override the 1961 Constitution.[80] The UDI constitution worked up to 1969-70, whereupon the Smith regime "… purported to adopt a republican constitution, which [further] precluded any prospects of majority rule" (Ndulo 2010:179). This constitution elicited further

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[80] The 1961 Constitution had been approved by white voters at a referendum held on the 26th of July 1961 (Mlambo 2009:109).

discontent within Africans because franchise was still to remain racially segregated, and majority rule was unlikely to be achieved in the short term. This is when the 1971 Pearce Commission was established to try and "conduct a test of acceptability of the [new constitution's] proposals" agreed between the Smith government and the British (Mlambo 2014:187). Africans, under the Bishop Abel Muzorewa led African National Congress (ANC), formed in 1971 by the banned liberation parties, rejected the Pearce Proposals because they were regarded as designed to maintain the *status-quo* (Coltart 2016:43-4; Mlambo 2014:187). In 1979, the Smith regime was forced into an internal settlement with some African nationalist leaders (Muzorewa and Sithole), which excluded two major liberation parties, ZAPU and ZANU. This short-lived internal arrangement, which led to the renaming of the country to Zimbabwe-Rhodesia, also came with its own constitution, endorsed by a whites' only Referendum held on January 20 1979 (Sithole 1999:152). The internal settlement (and its constitution) failed to halt the war, and soon after the Lancaster House negotiations began.

An all-party constitutional conference was held at Lancaster House in London from September 10 to December 21, 1979, whereupon a new independence constitution was drafted and adopted (Lancaster House Agreement Report (LHAR) 1979; Ndulo 2010:180). This conference was inclusive in as far as political players in Zimbabwe were concerned, but it lacked public and citizen participation, and there lay its weaknesses.[81] Of course, it was produced during a war situation, so it would have been very difficult to gather people's views. Furthermore, the fact that the Lancaster House Constitution (LHC) was presided over by Britain, and that the Front Line States were also eager to see the war ending, meant that it was negotiated under conditions of duress (Sachikonye 2011b:4). Britain's domination of the proceedings can be seen in the chairman, Lord Carrington's opening remarks:

> When the British Government issued invitations to this Conference on 14 August, after extensive consultations, we naturally hoped for and expected a positive response. Our consultations had revealed a strong desire that the United Kingdom should take the initiative in making a further attempt to achieve a final settlement of the problem of Rhodesia, in fulfilment of its constitutional responsibilities… The British Government felt strongly that it had the responsibility to bring that about (LHAR 1979).

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[81] The delegation from Zimbabwe included the Patriotic Front (Nkomo and Mugabe delegations), made up of 20 people, and the Bishop Muzorewa delegation (which included Ndabaningi Sithole and Ian Smith) with 22 people. The United Kingdom delegation had 22 members, including the chair of the proceedings. The delegations had only two women, one from the United Kingdom delegation and one from the Patriotic Front (LHAR 1979).

The setup of the conference (e.g. Britain's mediatory role) showed that no side had emerged from the liberation war a clear winner, and hence the balance of forces was tilted towards Britain's favour as the former coloniser.[82] The Chairperson of the proceedings, Lord Carrington, made sure that the Patriotic Front (PF) group was put under pressure to sign the agreement. Towards the end of the negotiations he said the following to an unsatisfied PF delegation: "The negotiations are over. There is nothing more to be said… The PF could do what they wished, but they must decide whether or not to initial the agreement tomorrow" (Doran 2017:90). After signing the agreement that he believed to be unfavourable to the PF, Mugabe had retorted to a French newspaper: "In the face of the dictatorial tactics of the British… and in the face of the very weak support we have received from Africa, we have not fared too badly" (Doran 2017:91).

The nature of the final agreement compromised what the liberation struggle sought to achieve as it was replete with concessions and compromises. Notable among these concessions was the perpetuation of racial classification and privilege when provisions were made for the creation of two separate voters' rolls: the Common Roll for Black voters and another roll for White voters (LHAR 1979; Doran 2017:70). This ensured that Whites obtained an exaggerated representation in the post-independence parliament. Furthermore, the LHC not only delayed the resolution of land question (which was to come back to haunt the country in the 2000s) by capping the rate of land redistribution through the willing buyer, willing seller principle included in the constitution (Magaisa 2016). This clause privileged white farmers to withhold the best land, which they had obtained through colonial legislation such as the Land Tenure Act of 1969 (see LHAR: 1979).

It must be acknowledged that the LHC was a product of negotiations taking place under difficult conditions as the war was still on, and the nature of compromise was such that participants must trade some of their positions to achieve peace.[83] Thus, there is little doubt that under the prevailing circumstances, the Lancaster House Conference succeeded in facilitating a practical transition to majority rule, and it was

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[82] For more on the conference's proceedings, see the LHAR (1979) and Davidow (1984).

[83] As Magaisa (2016) notes, not all the parties to the Lancaster House Agreement were happy with the agreement. Ian Smith did not stay long enough to witness its signing, and later argued that he could not witness the signing of his "death warrant". Muzorewa could have been the biggest loser because he had to relinquish his premiership not long after the agreement. Probably Britain was closer to satisfaction because, as the responsible colonial power, Britain was about to finally get rid of the "problem child".

a pragmatic arrangement that managed to achieve peace without necessarily resolving all the country's problems (Sokwanele 2012:8). However, because of its inadequacies reminiscent of a transitional agreement, it was amended twenty times between 1980 and 2008 (Sachikonye 2011b:5). The LHC's journey up to the present constitutional dispensation was a bumpy one, with the creation of the NCA and the government appointed Constitutional Commission being a recognition of its inadequacies.

The formation of the NCA and the Constitutional Commission

The fact that by 1996, a mere 16 years after the attainment of independence, the LHC had been amended fourteen times indicated not only the ruling party's appetite to entrench its power, but also an organic need to change the limitations of the Lancaster House Constitution. Amendments to the constitution, such as the 1987 creation of the executive presidency, the 1989 amendment providing for the Attorney General to be a member of cabinet, the 1990 creation of a second vice-presidency and the 1990 termination of the "willing buyer, willing seller" provision on land were all meant to buttress the hegemony of the ruling party. By the mid-1990s both the party-state and civil society seemed to be fed up with the existing constitution, albeit for different reasons. For civil society, the constitution's inadequacies were its lack of inclusiveness (they viewed the LHC as serving interests of the elite in power), and that electoral systems and processes as defined in the constitution were not conducive for holding free and fair elections (Sachikonye 2011b:8). The party-state mainly wanted a new constitution to reflect a more transformative approach in terms of economic relations, but also sought to maintain the entrenched powers of the executive, a way of preserving its hegemony. There was also a regional conjuncture in the mid-1990s, where progressive constitutions were being crafted in countries such as Botswana and South Africa (Sachikonye 2011b:8). These differentiated motivations between civil society and the party-state fuelled a polarised approach to the constitutional making process for the next decade.

Sachikonye (2011b:2) observes that the protracted and polarised nature of constitutionalism in Zimbabwe lies in the country's history of militarisation, authoritarianism, elite intransigence, and lack of national consensus over a framework

for social reform. Hence it came as no surprise when the first serious intent to overhaul the LHC came from a constellation of democracy oriented civil society organisations. On 14 May 1997, alliances between ZCTU and other social groups reached a crescendo when the NCA was formed, before its official launch at the University of Zimbabwe on the 31st of January 1998 (Raftopoulos 2009:207; Moore 2008b:26).

As indicated earlier, strikes, demonstrations and other social action by both public and private sector workers acted as consensus-building events for the emergent civil society. The NCA, a result of such consensus, was a voluntary association of civic groups such as human rights, religious, women, students, youth organisations, residents' associations, pressure groups and individual citizens. It started with a membership of about 100 organisations; and henceforth, the governance question entered everyday political discourse. The NCA was initially conceived as a short-term project to carry out public education on the LHC and its shortcomings, as well as to facilitate debate on possible constitutional reform (Raftopoulos 2001:15; Kagoro 2004:241; NCA 1999).[84] However, events conspired to extend the NCA's life span. Raftopoulos (2003:228) argues:

> The campaign around constitutional reform became a dominant feature of Zimbabwean politics in the late 1990s. The NCA developed a successful mass campaign, and triggered a process of discussion on reform within the ruling party itself, forcing the government to establish a Constitutional Commission in 1999.

Civil society groups that formed the NCA had concluded that political and socio-economic change in the country could only be realised once the LHC was replaced by a socially responsive and progressive constitution (Interviewee 6; 37 & 38). The NCA capitalised not only on the expanding independent media landscape, but also on the obvious failures of government (Dorman 2003:849). Some of these failures were precipitated by amendments that had been effected to the LHC, such as the creation of an executive presidency in 1987. The NCA embraced this media and used the discourse of the constitution, which was portrayed as a "non-political way" of talking about the "exercise of politics" to gain purchase (Dorman 2003:849; Raftopoulos and Phimister 2004:359). Predictably, the NCA became popular because it was the site of confluence for topical issues such as democracy, the land question, human rights, and women's issues, all packaged as intertwined and synonymous with constitutionalism.

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[84] NCA's Legal Committee report to the NCA Task Force, 18 May 1999.

At formation, the NCA had these objectives:

- To strive to protect, promote, deepen and broaden the concepts and practice of democracy, transparency, good governance, justice and tolerance in Zimbabwe.
- To identify shortcomings of the Lancaster House Constitution of 1979, and to organise debate on possible constitutional reform.
- To organise the constitutional debate in a way that is inclusive and allows broad based participation by all citizens.
- To subject the constitutional-making process to popular scrutiny in accordance with the principle that constitutions are made by and for the people (NCA Constitution 1998:2; Sachikonye 2011b:8; 2012:71; Kagoro 2004:243).[85]

During the first years of its existence, the NCA attracted substantial support and funding from international donors and Western governments. Seed funding was provided by the Friedrich Ebert Stiftung (Raftopoulos 2009:206). Further funding was received from the Swedish International Development Cooperation Agency (SIDA), the Royal Norwegian Embassy (RNE), the Canadian International Development Agency (CIDA), HIVOS (a Dutch NGO), Open Society for Southern Africa (OSISA), the European Commission (EC) and the Netherlands Embassy (Lumina 2009:61).[86] This donor funding totalled to over Z$6,5 million (about US$361,000). Additionally, in 1998, the NCA had about 100 affiliated members who were supposed to pay a subscription fee of Z$1,000 (US$55) per member (Moore 2008b:26)[87]. The foreign nature of its funding was to become ZCTU-NCA alliance's Achilles heel for the next decade. The party-state alliance accused the ZCTU-NCA alliance of peddling imperialism by accepting foreign funding, some of it from former colonisers (Moore 2005). The "foreign stooge" and "sell out" labels (Raftopoulos 2001:19; Moyo 2012:187; Scarnecchia 2012:225; 235) came back to occupy ZANU-PF's lexicon and critique of the NCA, ZCTU, and subsequently MDC, and was extended to all donor dependent organisations. Donor dependent programmes such as constitution making, and voter education were to suffer the same label up to the time of writing. Such

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[85] Documents in one of NCA founding member's archives indicate there were several draft constitutions for the NCA, most undated. The source of the information quoted here is from the one dated 1July 1998.
[86] Holding some of the potential funders to honour their pledges for funding was a struggle. NCA Task Force minutes, dated 27/04/1998 show that when funding from FES was getting exhausted, an internal advocacy group was set up to visit funders such as Australian Aid, Netherlands Embassy and HIVOs to encourage them to honour pledges they had made.
[87] The exchange rate used is the one that was applicable for that year. However, the liquidity crisis had started setting in, and thus the rate was very fluid. These figures should be treated as estimates.

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characterisation unfairly placed all opposition formations outside of a legitimate national narrative and located them in a "territory of alien, un-African and treasonous forces that justified the coercive use of the state in order to contain and destroy such forces" (Raftopoulos 2004b:163). This deemed some civil society organisations' voices not worthy of social circulation in the eyes of the ruling party and its networks (Kagoro 2004:250). Criticisms of receiving foreign funding was however, hypocritical on the part of the party-state, which had received funding from foreign donors in the past, and continued to do so in the present (Moore 2005).

The formation of the NCA aroused society-wide interest for constitutional reform (Raftopoulos 2003:228). Even the party-state soon began to tout its own preferred process of constitutional-making. Three distinct positions became dominant. According to Sachikonye (2011b:9), two of these positions were from ZANU-PF. The first, termed the "Mugabe way" because Mugabe had publicly advocated for it, was that ZANU-PF should come up with the content for the new constitution. The second position was termed the "Zvobgo way", named after the then ZANU-PF Secretary for Legal Affairs Edgar Zvobgo. It envisaged a process that would have involved mainly the executive and legislative arms, but would still be largely driven by ZANU-PF.[88] The third position was the "NCA way" which advocated a much broader, inclusive and participatory process. The NCA argued that a constitution was a national document and therefore a process of its drafting should be led by broader society, not a single party or a narrow institution such as parliament. Clearly, "Mugabe" and "Zvobgo" ways would have produced constitutional reforms from above, while the NCA aimed for a constitutional reform from below (Sachikonye 2011b:10). This binary between constitutional reforms from above versus constitutional reforms from below summarises the polarisation debate in the 1998-9 constitutional discourse.

The methodology stalemate, together with the traction the NCA was gaining forced the party-state to launch its own Constitutional Commission in March 1999, which initially sought to co-opt the NCA. The Commission was a presidentially appointed structure made up of 400 Commissioners, 150 of them being Members of parliament

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[88] Report by the Legal Committee to the task Force, 24 September, 1998. (The committee had held a meeting with Zvobgo, and Zvogbo had managed to sway some NCA members to abandon their preferred process of electing the Constitutional Assembly (CA) on the ground that such a process had the possibility of producing a total list of ZANU-PF members, and at that state the NCA will have to accept. Therefore the Zvobgo way at the very least guaranteed the NCA representation, and more, depending on the size of the proposed CA. More information in NCA Task Force Resolutions on the constitution-making process, 17 March 1999.

(all of whom were ZANU-PF members except two).[89] The NCA was invited to be part of the Commission, but refused on the grounds that the Commission was appointed within narrow confines of the Commissions of Enquiries Act, which compelled the Commission to submit its draft to the president, who reserved the right to reject, accept, or amend it (Madhuku 1999:3).[90] Thus, the NCA criticised the Commission process as partisan and lacking independence (Kagoro: 2004:246).

Parallel to the Commission process was the NCA's, which involved extensive civic education to explain the importance of an inclusive approach in constitution making and content gathering. However, the Commission outreach programmes were more extensive and inclusive than the NCA's, considering the financial support it had. According to Theroux (2007:2-3), writing on behalf of Carnegie Corporation (one of the funders who funded the Commission to the tune of US$200,000 in two months), the donor community contributed about half of the US$10,8 million of the Commission's projected budget. Other funders, mobilised by the United Nations Development programme (UNDP), which contributed US$560,000, included governments of Netherlands, Norway, Denmark and Sweden. Bilateral funding was received from Australia (US$33,000), South Korea (US$10,500) and Canada (US$111,000). In addition to the above, the Commission also received substantial funding from the Kellogg Foundation (US$530,000) and Ford Foundation (US$630,000 [Dorman 2003:850]). Thus, the NCA had no chance of equalling the Commission's expertise and geographical reach. The result of the two processes were two draft constitutions, one state sponsored, and the other produced by the NCA in 2001, titled "National Constitutional Assembly Proposed Draft Constitution of Zimbabwe" (NCA 2001).

The Commission process took about six months to gather and calibrate the data. Thereafter a draft was submitted to the President, who, together with his advisors, went on to embellish the final draft. They altered sections dealing with presidential

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[89] Of the two, one was from ZANU-NDONGA, a small regional party prominent only in Eastern Zimbabwe. The other was Margaret Dongo, who, in 1990 had been elected into parliament as a ZANU-PF candidate. In the 1995 elections she was dropped by ZANU-PF, but she contested and won her seat as an independent candidate. In 1998, she formed her own party, the Zimbabwe Union of Democrats (ZUD), which did not survive for long. She was unseated by an MDC candidate in the 2000 parliamentary elections. NCA archives indicate that between 1998 and 1999, Dongo became the contact person for the NCA in parliament. In February 1998, she requested to be briefed by the NCA on what she must say in parliament as the motion on constitutional review was being debated (Letter written on 11/02/1998 by NCA Coordinator inviting Task Force members to that briefing meeting.
[90] Madhuku's article is in *Agenda*, an NCA publication during its campaign for a new constitution.

powers and land reform (Theroux 2007:3). In July 2001, while counselling the Church to take a position in support of land reform, Robert Mugabe (2008:38) admitted:

> As late as last year we tried through the draft constitution to remove the principal decree of misfortune to our people by inserting a clause on land which would have speeded up the correction of an historical injustice, thereby contributing to the healing. What happened is known to everyone including the Church. Whites rallied local and international support in opposing that clause. Monies poured in and an opposition movement was formed to defeat this process of correcting a long outstanding injustice.

The substantive new clause on land reform was to permit the state to acquire land compulsorily from white commercial farmers, but also shift entirely the responsibility of paying for that repossession to the former colonial power (Dorman 2003:854). The draft was rejected by voters in a Referendum held in February 2000. Thus, if anything was achieved by the NCA between 1998 and 2001, it was to delegitimise the Commission process as lacking inclusivity and genuineness.[91]

Outside constitutional matters, what further broadened the gap between the NCA-ZCTU alliance and the party-state is that the NCA and ZCTU played a huge role in the formation of the Movement for Democratic Change (MDC) on 11 September 1999. Many leaders of the NCA were shifted to the new opposition party. In fact, the then chairman of the NCA, who was also the Secretary-General of ZCTU, Morgan Tsvangirai, was chosen to lead the new party. This led to perceptions and accusations that the NCA was a front and project of opposition politics in Zimbabwe, particularly as a channel to fund the MDC.[92] The Western funders who had been funding the NCA were pulled into the debate, accused by ZANU-PF and its allies of being the brains behind the formation of the MDC. Unproven accusations of imperialism, regime change agendas and re-colonisation of the country began to polarise the polity. Through these debates, the past was brought back to interpret and burden the present. As Dorman (2003:855) observes, the quest for a new democratic constitution became entangled with the desire for political power. For ZANU-PF and its sympathisers, the formation of the MDC, and a February 2000 High Court case accusing the NCA of

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[91] The NCA developed many different fliers which all bore the message "NCA says NO to the illegitimate Constitutional Commission – Make your contribution to the NCA and say NO to the Commission" over and above other informative messages about what ought or ought not to be in a constitution (NCA Archives).

[92] In March 2000, some opposition parties who were part of the NCA took the NCA Task Force to court accusing it of improperly using NCA sourced funds to fund the MDC (Affidavit of Archibald Ngcobo to the High Court of Zimbabwe, March 2000).

diverting donor funds to sponsor the MDC[93] helped to connect dots and matched squarely within their narrative of NCA as a regime change instrument meant to serve the interests of western countries.[94]

Despite the polarity between the NCA and the Commission processes, both provided citizens with a platform to ventilate their dissatisfaction with Zimbabwe's political environment. Dorman (2003:853) observes that citizen contributions to both the NCA and Commission processes revealed a thorough understanding of the manipulations that happened in elections and the day-to-day politics of the country. Hence demands reflected in the Commission draft for the introduction of an independent Electoral Supervisory Commission, leaner cabinet, reduction in presidential powers, and concomitant conferment of more powers to parliament and the judiciary signified this dissatisfaction. Between 2009 and 2013 there was also a constitutional drafting process, to which this study turns now.

Constitutional Parliamentary Select Committee (COPAC) Process

After the institutionalisation of the Government of National Unity (GNU) in 2009, also referred to as the Inclusive Government, another constitutional making process was initiated. This process, led by a Constitutional Parliamentary Select Committee (COPAC), produced the current constitution of the country, which was accepted in a Referendum in March 2013, but is yet to be fully implemented. Constitution-making was one of the deliverables for the Inclusive Government agreement, which stated that new elections could only be held after a new constitution had been adopted. Article Six of the agreement, popularly known as the Global Political Agreement (GPA), signed by ZANU-PF and the two MDC factions on the 15th of September 2008, described how the constitutional making process was to unfold. The Article made reference to and annexed a September 2007 draft constitution developed and signed by these three political parties, which was known as the Kariba Draft. The specific

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[93] The case was filed by Archibald Ngcobo, representing four opposition parties within the NCA. For more on the allegations, see Ngcobo's affidavit deposited with the High Court of Zimbabwe, on the 2nd of March 2000 (NCA Archives).

[94] These views were gathered during interviews with some members of ZANU-PF, e.g. interviewee 15 said "The problem with the MDCs and their allies in civil society is that they were founded and funded for the purpose of derailing what we considered to be a revolution" More of these feelings are apparent in many newspaper publications, including the following: Mahoso (1999); Hlatshwayo (1999); Jonathan Moyo (1999).

reference to the draft in the GPA reads: "Acknowledging the draft Constitution that the Parties signed and agreed to in Kariba on the 30th of September 2007, annexed hereto as Annexure B…" (Global Political Agreement 2008). Reference to the Kariba draft meant that COPAC processes were to use it as a basis for drafting a new constitution. This invited the ire of some civil society organisations, amongst them the NCA, which complained that the Kariba draft was drafted in secret, with less than six people assuming primary responsibility for the document. The criticism was also that this elitist draft had adopted more than half the content of the constitutional draft rejected in February 2000 (NCA 2009:2-9).

The COPAC process was scheduled to begin in 2009, but it encountered consensus problems between the two MDC's and ZANU-PF. This was to be expected considering the levels of polarisation in the Zimbabwean political environment. The process eventually kicked off in June 2010, a full year later than originally scheduled (Sachikonye 2011b:13). It presented opportunities as well as challenges.[95] Firstly, between 2008 and 2013, there were three parties represented in parliament with no single party enjoying unbridled dominance. Such a set-up would have moderated the advantages that ZANU-PF enjoyed during the 1999 Constitutional Commission process. Secondly, it meant that presidential control, which was a feature in the 1999 process, was going to be minimised as parliament was in charge of COPAC.

COPAC was also open to other stakeholders such as civil society, and substantial investment in time and resources was directed towards involving these key stakeholders (Sachikonye 2011b:13). This was evident when COPAC convened stakeholders' conferences at inception and conclusion of the outreach process, largely funded by donors (Theroux 2007:2-3). Civic organisations participating in the process went around conducting constitutional literacy and advocacy events, encouraging people to participate actively in the data gathering phase. Because of its inclusive approach, in contrast to the 1999 Commission process, many civil society organisations who were part of the 1999 "NO" campaign such as the National Association of Non-Governmental Organisations, Zimbabwe NGO Forum, and the Zimbabwe Lawyers for Human Rights became part of the COPAC process.

However, the absence of other prominent civil society organisations was a cause

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[95] For some of the challenges, see BBC (2014) documentary *Democrats*, which chronicles the COPAC process by tracking the activities of Paul Mangwana and Douglas Mwonzora, the co-chairs of COPAC.

for concern. The NCA, ZCTU and ZINASU boycotted the COPAC process as they claimed that it was still an elite-driven process, similar to the 1999 one (ZINASU 2010:10). They claimed, not without merit, that the outreach process was a politicised process taking place in the shadow of a looming election, and being led by political parties who had an interest in that election (Interviewee 4; 13 & 23). The NCA and ZINASU thought the outreach programme was likely to be manipulated, short-term looking and not fit for a national constitution. Hence, Lovemore Madhuku, the chairperson of the NCA felt compelled to ask, "Do we want a new constitution that reflects the values that we want? Or do we simply want some document which we can use for the next election?" (Sokwanele 2012:22). These observations were the basis for the NCA to begin a process of de-legitimising COPAC and its results. To effectuate this the NCA launched what was called the "Take Charge" campaign in July 2010 to "… expose the fraudulent process currently underway and led by politicians from ZANU-PF and MDC" (Sokwanele 2012:23). However, their campaign did not seem to convince many as the COPAC process went ahead, producing a draft that was overwhelmingly (95%) accepted in the 2013 Referendum, which was not as polarised as the one held 2000.

With the constitution accepted, what remains is to align all legislation to speak to the new constitution. Very little has been done in this regard. However, the constitution bears some positive and progressive sections that are likely to contribute towards Zimbabwe's democratisation. Some of these progressive clauses include the two term limit for a president (Chapter 5, section 91), the expanded declaration of the Bill of Rights (Chapter 4), expanded powers of parliament in holding the executive to account (Chapter 6) and the introduction of a Constitutional Court (Chapter 8, sections 166-7). This thesis argues that if democratic institutions are strengthened, the phenomenon of polarisation will also weaken as people begin to see that there are channels available for them to express their dissatisfaction.

Effects of polarisation within the constitutional movement

The polarisation between the NCA and the Constitutional Commission in 1999 trickled down to the rest of civil society and hastened divisions within the sector. It was difficult for some organisations to be able to take a stand on whether to support the NCA or to

join the Commission. For example, the Zimbabwe Human Rights Association (ZimRights) leadership pressured it to leave the NCA, while its membership wanted to stay. It eventually stayed (Dorman 2003:852). The Zimbabwe Lawyers for Human Rights had to hold an internal referendum amongst its members on whether to join the Commission or not. The majority of its members chose to stay with the NCA, while a substantial minority decided to go to the Commission. The Zimbabwe Council of Churches, whose employees had conceived the formation of the NCA, was also split on the issue. Some of its members became prominent members of the Commission. The Catholic Commission for Justice and Peace (CCJP) remained within the NCA, while its superior, the Zimbabwe Catholic Bishops' Conference (ZCBC) supported the Commission and directed its priests and followers to make representations to the Commission process (Dorman 2003:851-2).

The rejection of the 1999 constitutional draft served not only to confirm the ruling party's declining hegemony, but also signalled the rise of a counter-hegemony. The recently congealed opposition provided this alternative hegemony in the making. The referendum loss was probably a rejection of Mugabe and his politics, rather than the constitution, and it set the stage for a violent, and coercive politics from 2000 onwards (Kagoro 2004:250). The NCA and its allies had not anticipated what would come after the rejection. The rejection thrust the country into a volatile, racially premised political retaliation by the party-state (Raftopoulos 2003:230). It immediately embarked on the fast-track land reform programme (FTLRP), which entailed the compulsory acquisition of white-owned commercial farms (Moyo and Murisa 2008:77; Scoones et al 2010:24; Moyo and Yeros 2011b:91-2; Scoones 2015:19). The war veterans, who became the foot soldiers during farm invasions (Mhanda 2011b), constituted themselves into base camps and committees that identified land to be occupied (Moyo and Yeros 2011b:92). The NCA, ZCTU and ZINASU stood together to support the MDC in opposing arbitrary land invasions. Consequently civil society organisations were further entrenched into contestations for state power for the next decade, thus raising even more questions about civil society – state relations during conjunctures of crisis.

In closing this section, it should be emphasised that, despite the institution of the GNU and the COPAC Constitution being adopted in the 2013 referendum, very little was achieved in negating the phenomenon of polarisation. There still remained civil society organisations such as the NCA and ZINASU that were dissatisfied with how the process had unfolded. The historically polarised political environment ensured that,

even though parties worked together, and unspoken expectations where that this "unity in action" would trickle down to civil society, entrenched positions within civil society prevented this from happening. While political parties managed to narrow their differences, internal individual party differences emerged and these were later to split them as will be discussed later. Cracks also began to develop within the democracy-governance-human rights group, pitting those who embraced the COPAC process against those who rejected it. The fact that international funding became exclusively directed towards the pro-COPAC organisations while those opposed to the process such as the NCA began to lose funding worsened their relations (Interviewee 4). This contextualises Madhuku's severing of NCA – MDC relations, as quoted earlier. The MDC was now seen by one faction within the counter-hegemonic civil society as unprincipled and a "sell-out", reminiscence of how ZANU-PF characterised the MDC in earlier years (Moyo 2012:187; Scarnecchia 2012:235).

The following section examines the human rights movement, and its location in the polarisation dialectic.

The Human Rights Movement, Democracy and State Relations, 1997-2014

Alliances built from 1997 onwards amplified the language of human rights and good governance, and concomitantly portrayed these as inalienable pillars of democracy. How did this resonate with the politics of the day? How did the party-state respond to these demands? More specifically, how did the coercive arms of the party-state (the police, army, secret service, militias, etc.) that interface with civil society organisations, respond to such demands? These are important questions in analysing state – society relations. Around 1997, the full extent of the *gukurahundi* atrocities were starting to be spoken about publicly (CCJP 1997). During the same period, war veterans were beginning to agitate against the party-state openly (Mhanda 2011b). The inadequacies of the Lancaster House Constitution were being continually exposed, and the formation of the NCA signified the collapse of not only the nationalist hegemony, but also that of the ruling party (Raftopoulos and Phimister 2004:356). This context signified a rapturing hegemony, and the basis of an emerging counter-hegemony. This section expands on these issues.

Inter-linkages and alliance formation – 1997 to 2002

Interwoven with the 1997-2000 constitutional movement was the human rights discourse, which, though born earlier and stretching further, got its impetus from the activities linked to the desirability of a new constitution. The anti-party-state organisations within the student, labour and constitutional movements, together with others, coalesced to make up the human rights movement. Amnesty International (2008b:4) notes the deterioration of the human rights situation in Zimbabwe from 2000 after the party-state lost the Referendum to opposition formations. This was the first time the ruling party tasted defeat since independence, and this defeat came with some degree of embarrassment. The humiliation would direct ZANU-PF's engagement rules from then onwards. Mlambo (2014:231) says the year 2000 marked the start of a turbulent time for Zimbabwean politics, characterised by a growing challenge to ZANU-PF's hegemony, which concomitantly brought increased repression to political opponents. And this is why Michael (2004:49) argues that from the moment the Constitutional Commission draft was rejected, the relationship between the state and civil society became irreversibly altered.

It is important to record that the human rights movement, which took root during the late 1990s, had been long time coming. Conditions such as the 1982 – 1987 Matabeleland massacres, state control of media space, as well as the ruling party paranoia (Mandaza and Sachikonye 1991) all built anger that needed to rupture at some point. The period 2000 – 2008, and its political episodes provided the right time and space for the cooped up anger to erupt. When did this anger and resentment begin to emerge and how did it crystallise itself to the extent of eruption?

The structural adjustment policies of the 1990s undermined numerous post-independence socio-economic advances.[96] They cut state spending severely on social services such as education and health; and workers' salaries were reduced almost proportionally with their unemployment. Living standards plummeted. The labour movement, together with the student movement, became more relevant as they tried to claw back the citizens' rights appropriated by the party-state. A series of strikes between 1995 and 1998 by both private and public sector workers, and students in

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[96] See Muzondidya (2009) and Kanyenze *et al* (2011) for more on the advances that the post-independence state had made up to 1990, and some of the subsequent regression experiences thereafter.

universities and colleges saw a rise of vibrant urban civic movements that coalesced around the NCA project in 1997 (Helliker 2012a).[97]

The formation of the NCA, as explained earlier, provided convergence for many disparate civic organisations that needed a rallying point to unite and fight from the same corner. The reckless crushing of the civil servants' strike in June 1996, and the violent response to student demonstrations during that period signalled the closing down of democratic space. Between 1995 and 1997, ex-combatants had also started to organise themselves aggressively outside of party-state control, demanding to be compensated for the role they had played in the liberation struggle. This almost placed them at a point of convergence with other civic organisations. However, this looming convergence was contained when the party-state yielded to the ex-combatants' demands, awarding them gratuities as discussed in the previous sections. This award resulted in the party-state trammelling and appropriating the strength of ex-combatants, and henceforth, used it to advance the interests of the party-state.

In 1997, the state signalled its intent to compulsorily acquire 1,471 white owned commercial farms (Zamchiya 2012:1101). Consequently, a series of national as well as localised spontaneous invasions of white owned commercial farms by some war veterans ensued from 1998, but getting more intense in mid-2000. These invasions led to widespread violence and human rights abuses mainly directed towards white commercial farmers (who resisted the take-over), farm workers and human rights defenders, primarily perpetrated by war veterans under the leadership of Chenjerai Hunzvi, who had been elected to lead their association in 1997 (Mhanda 2011a:226).

A polity that is intolerant of political dissent normally reproduces counter-organisations that seek to negate such a culture. This is exactly what happened in Zimbabwe between 1997 and 2008 as organisations representing the youth, children's rights, women's rights, voters' rights and constitutional rights began to multiply. Such organisations included the NCA, Crisis in Zimbabwe Coalition (CZC), Zimbabwe Liberators Platform, and Zimbabwe Human Rights NGOs' Forum, Women of Zimbabwe Arise (WOZA), ZESN, Women's Action Group and residents' associations. They were a response to political developments of the time. Of special interest amongst these is the CZC, formed on the 4th of August 2001 by several human rights

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[97] This researcher was a college student between 1996 and 1998 and participated in the student demonstrations during that period.

oriented civic organisations that included labour, women's groups, youth groups and residents' associations, who became its constituent members. At its peak, it had more than 350 member organisations, but at the time of fieldwork for this thesis, the CZC had wilted down to eighty-nine members (Interviewees 16; 19 & 34). CZC became a serious player in the democratisation discourse in Zimbabwe, and just as others formed before it, its friends and colleagues were predetermined. The people who formed the CZC were founding members of the NCA, and indications are that the formation of CZC was a direct response to the shrinking democratic space within the NCA. Two former members of the NCA had this to say about NCA's internal relations at the formation of the CZC:

> Initially, the organisation was very democratic. But as time went by and with the expansion of individual membership, it became more and more political and politicised in terms of activism and at times divergent political opinions were not necessarily tolerated. So you have a tendency of initial internal democracy which dissipates with broader expansion of the membership from institutional to popular and individual membership. Some institutional members not happy with the rapid expansion of the NCA, which now included individual membership. Some of these members saw it fit to form their own organisation and this is how the Crisis Coalition came about. The Crisis Coalition was born as a direct frustration with the NCA (Interviewee 37).

> I think the first thing is that we were not happy with what was going on in the NCA. There were trends around the lack of accountability, a leadership style that was not envisioned when we started. We also wanted a broader platform, not just talk about the Constitution, but to talk about the broader political question, including regional and international issues, which is why we set up a regional office in South Africa to deal with regional relations because we knew Mugabe was taking this battle to the region and that we needed to put out an alternative message around regional solidarity, around an alternative interpretation of pan- Africanism, anti-imperialism, in order to counter the narrative that the Mugabe position was putting out there (Interviewee 38).

A 1999 NCA's Legal Committee report corroborates the above arguments. Some of these reports show the internal disagreements on whether or not the Assembly should expand its membership to include popular membership.[98] What needs to be noted here is that, true to the politics of polarisation, the frustration that led to the formation of the CZC did not prevent it from collaborating and co-operating with the NCA and complementing the MDC and other oppositional formations. Because the CZC's ends and means (together with those of other oppositional formations) were dissimilar to those of the party-state, which sought to preserve its hegemony through coercive means, a confrontational relationship defined the relations between CZC and the party-state, as theorised by Najam's (2000) four C's model. The notion that Mugabe

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[98]The NCA was conceived at its formation as an assembly of constituent organisations (undated minutes of one of the first meetings in July 1997). Disagreements about accepting individual membership are captured in the NCA's Legal Committee Report to the Task Force, 18 May 1999.

had managed to build regional solidarity around his ruling party's ideas is an important one, hence it is developed below.

The Zimbabwe Question and Regional solidarity.

Mugabe had taken the Zimbabwean question to the regional and continental levels to good effect. The civil society organisations attempted many times to encourage SADC and the AU to sanction Mugabe – without success. In fact, the Zimbabwean government seemed to get protection from these regional bodies. An example is when four CZC leaders visited Malawi during a Southern African Development Community (SADC) summit and were deported within hours of their arrival after immigration officials told them that they posed a security risk[99]. The leaders, who included the CZC chairperson Brian Raftopoulos and others, "…were in Malawi to lobby delegates at the SADC meeting to take action against President Mugabe's government over human rights violations" (Ruhanya 2002; *Herald* 2002). The deportations were despite prior arrangements having been made by the Malawi Council of Non-governmental Organisations, which was to host the visitors, as well as to arrange for the four to meet civics in Malawi. Chan and Gallagher (2017:41, 96) also chronicle several instances where SADC seemed to be powerless against the Zimbabwean party-state. Many in Zimbabwe "thought SADC countries were either generally in sympathy with ZANU-PF, or bamboozled or intimidated by Mugabe" to the extent that the regional body could not reasonably execute its duty of ensuring that the 2009-13 GNU fulfilled its mandate. All these incidents and many others revealed that Zimbabwean opposition formations were up against not only the party-state, but also several regional governments and bodies. However, the civil society-MDC alliance did score a few successes in the international arena. Besides bringing the human rights abuses to the attention of SADC and the African Union, they also managed to influence some changes within SADC's rules governing elections. At its 2004 summit in Mauritius, SADC adopted new principles and guidelines to govern democratic elections, which were subsequently followed in Zimbabwe's 2008 elections (SADC 2004).

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[99] See the Government of Malawi deportation note served to Raftopoulos in the Appendix E

Violence against civil society activists between 1999 and 2009.

The period between 1999 and 2002 witnessed much political manoeuvring in Zimbabwe. In 1999, when the National Working People's Convention (NWPC) was held, the Constitutional Commission was also instituted as discussed earlier. In September 1999, an opposition party, the MDC, was formed. In February 2000, a referendum was held where the draft constitution was rejected. In June the same year, parliamentary elections were held and the recently formed MDC won almost half of the contested 120 seats. In July 2000, the then Vice-President, Joseph Msika, gazetted the taking of 804 farms to mark the official beginning of the fast track land reform programme (FTLRP [Scoones *et al* 2010:24]). In March 2002, the country was once again thrust into election mode for the presidential elections. There were further elections in 2005 (parliamentary), 2008 and 2013 (both harmonised). All these events brought toxic conditions fertile for human rights violations.[100]

Physical attacks and rhetoric directed at members of the judiciary, independent media, human rights defenders and civil society activists increased.[101] Human rights violations and responses to such violations took a polarised framework. Those who were perpetrating the violence were mainly part of the party-state, such as the police, army, war veterans and youth militia, while the victims of the abuse were either members of or those close to opposition political parties (Kagoro 2004:250; Raftopoulos 2004a:ix; 2003:230; Amnesty International 2008a:3-8; Coltart 2016:281). The abuse they suffered propelled victims closer to each other, or into exile, further widening the gap between the party-state and those in the opposition, and hollowing the middle, which is characteristic of a polarised environment. Independent media houses were also targeted, as they were perceived by ruling party operatives to be too close to opposition parties. An example was the closure of the new Capital Radio station, from which equipment was confiscated immediately upon commencement of broadcasting in October 2000. David Coltart, an MDC Member of Parliament and a long time "enemy of the state" was one of its directors, and the party-state feared an

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[100] In Zimbabwe, and elsewhere in Africa, conducting elections usually comes with severe repression and violence which results in many aspiring politicians and innocent civilians being killed before, during and immediately after the voting.

[101] Amnesty International (2007:2) defines human rights defenders as people who act to promote and protect human rights. Such people may have been victims and/or survivors of human rights violations, and friends or relatives of victims and seeking to redress the violations suffered. The group may include journalists, lawyers, and members of civil society organisations and politicians who speak for the promotion and protection of human rights.

independent radio station. *The Daily News*, launched in March 1999, had its printing press destroyed by a powerful explosion less than two days after a threat by Jonathan Moyo (Coltart 2016:308-9).[102]

The period from late 1999 to 2008 serves as a worthwhile case study to chronicle the human rights violations targeting those considered to be political opponents of the ruling party. All this party-state perpetrated violence should be understood within the realm of hegemonic construction and maintenance. The dynamics of coercion and consent (or domination and persuasion) defined the interaction between the state structures and civil society actors. The strategy of polarisation became a useful tool to exercise the mutuality which distributes the constituent elements of coercion and consent. For example, the polarisation between the counter-hegemonic and the pro-hegemonic alliances during this period culminated in the rejection of the Constitutional Commission's draft in 2000, and catalysed the subsequent violent state – society relations that spilled into elections and seizures of land from white farmers. As earlier alluded, such political violence was directed at members and leaders of oppositional formations. One incident of note was on November 18, 2003, when police and armed soldiers violently crashed peaceful street protests organised by the ZCTU. The crackdown, which came a few hours after Nigerian President Olusegun Obasanjo had jetted out of the country after trying to facilitate talks between Mugabe and Tsvangirai, ended with over 300 people, including the federation's leaders, academics and members of civil society arrested and detained (*Chimete 2003*). Those arrested came from different organisations, but all from the counter-hegemonic alliance. Besides the ZCTU, there were also activists from NCA, CZC, Women's Coalition, Media Monitoring Project, Progressive Teachers' Union of Zimbabwe and the Combined Harare Residents Association.[103] The people who would have been heavily involved in these human rights violations, the war veterans, youth militia, the army and the police, would have been part of the pro-hegemonic groups.

Violations during the periods immediately before and after elections seemed to be the worst, thus illustrating the linkage between the practice of violence and the

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[102] For more on violence during this period, amongst other sources see Zimbabwe Human Rights NGO Forum (1998; 2000); CFU (2000); *The Telegraph* (2000); *Zimbabwe Standard* (2000); *Financial Gazette* (2000); *Zimbabwe Independent (2001)*; *The Guardian (2001)*. To view a video of some of the 1996 food riots and demonstrations, go to video uploads by Michael Auret (2012).

[103] For a detailed account of the events on this day, see Mike Davies' "prison diary" where he narrates the events from before the crackdown up to their acquittal at the Magistrates Court two days later. The narration is included as an annexure at the end of this study.

desire to occupy political office. An Amnesty International press releases capture human rights abuses around Zimbabwe's 24 and 25 June 2000 Parliamentary elections in detail. Such violence included physical attacks, harassment, serious assaults, intimidation, imprisonment and killings of members of the opposition and civil society. Amnesty International (2000) wrote:

> On 15 April 2000, armed men in a vehicle reportedly bearing ZANU-PF markings stopped a car full of MDC members and supporters who had been preparing for a political rally south-east of the capital, Harare. They smashed the car window and threw in a fire bomb, killing Tichaona Chiminya, an MDC driver. One of the passengers, Talent Mabika, died later in hospital, and the other five were injured. Police in the area … reportedly did not intervene.

Consistent with hegemonic tendencies, the thinking of those perpetrating violations against civil society activists was not only that activists should not work with opposition parties, but also that their agenda could not be in tandem with that of opposition politics. The fact that police did not seem to be interested in intervening when such incidents occurred also spoke volumes in terms of where their allegiance lay. During the 2000 election, it became clear that war veterans and ZANU-PF supporters were responsible for human rights violations (Raftopoulos 2003:230; 2004a:ix; Kagoro 2004:250), targeting mainly opposition political activists and opinion leaders such as teachers and civil servants in rural areas, as well as farm owners and workers. Urban centres were not exempt as would be seen in the narration about Operation *Murambatsvina* below.

Democracy, human rights and Operation Murambatsvina.

The economic crisis that affected Zimbabwe from 2000 onwards seem to have resulted in many people migrating from the countryside to towns. **Table 2** below shows net-migration indices for Zimbabwe's two major cities, Harare and Bulawayo between 1992 and 2002.

Table 2: Net in-migration indices for Zimbabwe's two major cities

(Source: Potts (2013:15)

			As % of population of aged >10 years in 1992
Province	2002 census population >10 yrs (a)	In-migrants 1992-2002/ census popn in 2002 %	Resident in 1992 and 2002	In-migrants 1992-2002	Out-migrants 1992-2002	Net gain 1992-2002 migration (b)
Harare	1,397,596	34	75	38	-25	13
Bulawayo	514,524	30	75	32	-25	7

The data shows a 13 per cent (Harare) and 7 per cent (Bulawayo) net migration from the countryside to the city.[104] When these people settled in towns, many found themselves engaging in informality both in terms of income generation and shelter since deindustrialisation had intensified (see Chagonda 2011). Urban councils failed to cope with the high demand for housing, and people erected their own. In the winter of 2005, just a month after the parliamentary elections of that year, the Zimbabwean government embarked on a "clean-up" campaign called Operation *Murambatsvina* (Operation Restore Order) where many informal businesses and houses were razed to the ground. The operation was designed to eradicate, albeit through destruction, all structures deemed to be illegal (Potts 2006:273).

Operation *Murambatsvina* resulted in about 700,000 people directly becoming homeless or losing their livelihoods, and 2,1 million indirectly affected within a short space of 40 days (Tibaijuka 2005:7,33,51). All these citizens had their socio-economic and cultural rights violated. School going children were just uprooted from urban areas and forced to stop attending school. Women were the most affected as mass evictions targeted flea markets and vegetable vendors, activities mostly conducted by women. As Mlambo (2014:234) argues, most of the affected were urban dwellers who had contributed massively to the growing MDC base. In the 2005 election, the MDC had

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[104] To compare populations in 1992 and 2002 the census tables exclude those under ten years of age in 2002 as they had not been born in 1992.

won almost all urban seats, and it was immediately after this, on May 19, that Operation *Murambatsvina* was launched. The United Nations sent a special envoy, Anna Tibaijuka on a fact finding mission to assess the scope and impact of Operation *Murambatsvina*. She visited several towns and some of her findings were that the operation precipitated a humanitarian crisis of immense proportions. Tibaijuka's report observed that evictions had wreaked havoc in the informal sector and this was going to have disastrous effects as it would increase unemployment, and also have a knock-on effect on the formal economy. Further highlighted by the report was that the historical disregard of laws and court orders by government dating back to the beginning of the fast track land reform programme had set a bad precedent, leading to people also disregarding local government by-laws. Thus, government needed to adhere to the law before it expects citizens to do the same (Tibaijuka 2005:74-7).

Tibaijuka's findings were supported by several other studies (e.g. Potts 2006, 2008, Chimedza 2008, Mhiripiri 2008, Solidarity Peace Trust 2006). However, it was not surprising that, Mahoso (2008:160-8), a ZANU-PF sympathiser, dismissed Tibaijuka's findings, with his rebuttal taking the same narrative that has defined the party-state's engagement with the West since the onset of the Zimbabwe crisis. Mahoso claims that Tibaijuka had a predetermined framework when she came to Zimbabwe. However, a thorough reading of the report confirms how wrong Mahoso's (2008) accusations are, as the report's findings speak to the scope and impact of the operation, which was its mandate, and her findings were collaborated by other studies as indicated above.

This study now turns to the role of the party-state's institutions, especially the police, in the violation of human rights.

Police, Human rights violations and democracy

Police and other members of the state security sector have been heavily complicit in violations of human rights mainly targeted at people perceived to be close to opposition parties in the country. Examples of police complicities are numerous, and only a few are narrated below.

On 13 September 2006, a day when ZCTU organised a peaceful protest against plummeting socio-economic conditions in the country, the federation's senior leaders were arrested and severely abused. Amnesty International (2006) reports how the

leaders were treated:

> Lovemore Matombo, – President of the ZCTU, Wellington Chibhebe - ZCTU Secretary-General, Lucia Mativenga - First Vice-President of the ZCTU and 12 other ZCTU and MDC activists, were arrested while attempting to engage in peaceful protest about deteriorating social and economic conditions in Zimbabwe. They were taken to Matapi Police Station where they were systematically tortured. Their injuries were consistent with beatings with blunt objects, heavy enough to cause fractures to hands and arms and severe multiple soft tissue injuries to the backs of the head, shoulders, arms, buttocks and thighs. The ZCTU and MDC activists were transferred to Harare Central Police Station on 14 September before being released later that day. Medical care was only provided after protestations from their lawyers.

Other ZCTU regional leaders and members were also arrested throughout the country, in some instances, arrested the night before the protest to disrupt the plans. Matombo and Chibhebe were to be arrested many more times during their tenure as ZCTU leaders, including on 8 May 2008 when they spent more than a week in custody for speeches they made during May Day celebrations.

Twenty ninth of November 2006 witnessed another episode of abuse against defenceless women of WOZA (Women of Zimbabwe Arise). According to Amnesty International (2007:15), police used excessive force to disperse just 200 women who had gathered for a peaceful march outside the Mhlahlandlela government offices in Bulawayo. According to the report, all the demonstrators were sitting down, posing no threat and challenge to the police. The excessive force used by the riot police to stop the demonstration resulted in 25 women seriously injured, among them a woman and a baby who both sustained broken legs.

A scan of human rights literature on Zimbabwe between 2000 and 2013 indicates not only that law enforcement agents and ruling party supporters have enjoined all human rights activists and counter-hegemonic civil society to opposition parties, but have also deliberately directed violence towards them on the basis of that assumption.[105] Thus, it came as no surprise, therefore, when in 2007, the Zimbabwe Republic Police (ZRP) released a report entitled *Opposition Forces in Zimbabwe: A trail of violence.* In its introduction, the report says all opposition forces within the country and beyond have been working either individually, separately or jointly in strategising for regime change. The opposition forces identified in the report are the MDCs, NCA, ZCTU, Crisis in Zimbabwe Coalition, WOZA, ZINASU, Zimbabwe Lawyers for Human Rights, and Christian Alliance (ZRP 2007:1). The report says

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[105] Examples of these sources include Amnesty International Reports, Africa Files Reports, Zimbabwe Human Rights NGO Forum Reports, ZESN Reports, and Solidarity Peace Trust (2006, 2012 and 2013) Reports.

these organisations are driving a regime change agenda, which the police consider to be a foreign driven agenda.

The inferred conclusion of this Police report (2007) is that the specified organisations, despite the fact that they were local formations, have no right to demand a change of government. Furthermore, the narrative positions local organisations as incapable of thinking for themselves, hence their being driven by foreign interests, and that because their "agenda" is not succeeding, they have engaged in a plethora of violent criminality. The police and the state have deemed the voices of these civil society actors unworthy of social circulation (Kagoro 2004:250). Below (**Figure 4**) is a chart extracted from the ZRP report indicating how the law enforcement agency distributes levels of criminality to "opposition forces". Clearly, information displayed in the chart falls into a slippery slope, leading to compromised policing. The conspicuous absence of other formations that partook in criminality such as war-veterans, youth militias, and ZANU-PF structures meant police were not concerned with the acts of violence they commit. Deliberately ignoring the role played by party-state aligned organisations illustrated the complicity of law enforcement agencies in the violation of human rights. Makwerere *et al* (2012:130) are of the view that such police behaviour could be intentional since they are aware of what the constitution expects of them.

Figure 4: Police report indicating the role of opposition forces in violence activities in 2007 (Source: ZRP 2007:2).
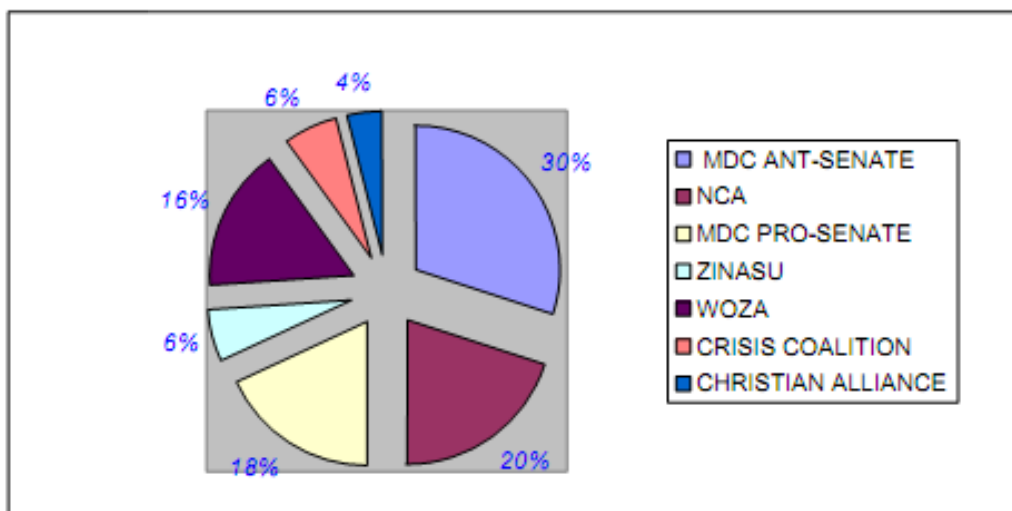
The events of 11 March 2007 also marked another episode of human rights violations perpetuated by the police. This is the day when opposition forces intended to hold a peaceful prayer gathering named "Save Zimbabwe Campaign". Police disrupted the gathering before it even started. People who were still heading towards the venue were teargased and assaulted by riot police. Many were severely injured, including leaders of civil society organisations and opposition parties. Morgan Tsvangirai, Arthur Mutambara, Tendai Biti, Sekai Holland, Nelson Chamisa and Lovemore Madhuku were some of them. Some amongst those who were detained, such as Tsvangirai, were arrested when they went to police stations to find their detained colleagues. Tsvangirai and others were severely assaulted, but the ZRP report claims that they were not assaulted at the police station. However, pictures of them severely injured circulated throughout the world media. Attempts by the police to deny assaulting Tsvangirai and others were undone when President Mugabe gloated, "Of course he was bashed. He deserved it. I told the police to beat him a lot. He and his MDC must stop their terrorist activities" (Zimbabwe Human Rights NGO Forum 2008:15; *Africa Files* 2007).

Figure 5: Picture of opposition leaders being released from police custody in 2007.

(L to R, foreground) – Arthur Mutambara (President MDC; Nelson Chamisa (Spokesman MDC-T); Morgan Tsvangirai (President MDC-T); Lovemore Madhuku (Chairman NCA) and Tendai Biti (Secretary-General MDC-T). *Source*: Raftopoulos (2009:228).

A National Constitutional Assembly activist, Gift Tandare, was shot and killed by the police on that day (ZRP 2007:15). No police officer was ever arrested or charged for the murder, nor the torture of Save Zimbabwe Campaign activists. Instead, all the blame was shifted to the organisers of the event, including Tandare, for his own death. What is also peculiar with the ZRP report is its preoccupation with which ambassadors visited the detainees for the forty-eight hours they were in police custody. This fixation was meant to advance the narrative that countries of the ambassadors who visited them were the ones bankrolling the regime change agenda.

Police and the Legal environment

It should be emphasised that even though police sometimes overzealously enforce the law, they are not lawmakers. To this end, there are pieces of legislation, such as the misleadingly named Access to Information and Protection of Privacy Act (AIPPA) 2003, which, upon enactment, "…effectively imposed controls on who would be allowed to practice journalism – and punitive criminal penalties for those individuals and media organisations who failed to comply" (Moyse 2009:53). The *Daily News* newspaper was one of the first victims of AIPPA when it was closed in 2003 for failing to comply with the prescribed registration requirements. At the time of its closure, the *Daily News* was the only independent daily newspaper, and was therefore important in carrying alternative views. Its decimation, regardless of who did it, benefited the pro-hegemonic alliance.

There is also the Public Order and Security Act (POSA), which by its very nature, enjoins police to transgress human rights. POSA, enacted in 2002, infringes on freedoms of assembly and association, the right to liberty and security of person, freedom of conscience and freedom of expression. Political rallies and meetings have been suppressed by applying POSA, which requires organisers to seek police permission to hold a demonstration or rally. Police officers commanding each district are designated as regulating authorities, and have enormous powers accorded by POSA of prohibiting gatherings as captured by Veritas (2007:7-8):

> Without derogation from section *twenty-five*, if a regulating authority believes on reasonable grounds that a public gathering will occasion public disorder, he may by notice in terms of subsection (3) prohibit the public gathering (Section 26).

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If a regulating authority for any area believes on reasonable grounds that the powers conferred by sections *twenty five* and *twenty six* will not be sufficient to prevent public disorder being occasioned by the holding of public demonstrations of any class thereof in the area or any part thereof, he may issue an order prohibiting, for a specified period not exceeding one month, the holding of all public demonstrations or any class of public demonstrations in the area or part thereof concerned (Section 27).

Thus, police use POSA to break up peaceful demonstrations and arrest activists, who are then charged under POSA or the Criminal Law (Codification Reform) Act. The police have gone on to use these pieces of legislation on numerous occasions, sometimes to the extent of imposing bans on demonstrations and rallies for longer than the one month legislated period. Two police departments seemed to be notorious for operating in a partisan manner as well as using excessive force in the conduct of their duties. The Law and Order Section of the CID was responsible for arbitrary arrests, unlawful detention, torture and denial of access to food, legal representation and medical attention while in custody, as was the case when the Save Zimbabwe Campaign activists were detained on 11 March 2007. The anti-riot police, commonly called the riot police because of its riotous behaviour, has been used to break demonstrations and meetings convened by opposition formations. This department is also notorious for using excessive force to break up peaceful gatherings (Amnesty International 2008b:19-22).[106] Even though police cannot be exonerated for selective application of the law, lawmakers must also be apportioned the blame since it is them who fail to develop just and democratic laws.

It is not coincidental that the phenomenon of police brutality against human rights activists happened with impunity; and more so during periods immediately before or after elections. This was part of the hegemony retention strategies by the party-state alliance. The practice of unleashing violence was also used during elections, and it is to that aspect that we now turn.

Elections, Violence and human rights Abuses: 2007-2008

The pre-post-election violence was mostly pronounced in the 2007 and 2008 period, and Amnesty International (2008a) and Amnesty International (2008b) reports aptly titled *Zimbabwe: A trail of violence after the ballot* and *Zimbabwe: Time for*

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[106] These observations were collaborated by interviewees connected to the NCA, Crisis in Zimbabwe Coalition, ZINASU and ZCTU – all civil society organisations linked to opposition politics at the time.

accountability respectively, capture the events in detail. Violence around election periods in Zimbabwe is not coincidental – it signifies the quest to retain or acquire political power at all cost, and the police's role has been to preserve the *status-quo*. This is also not accidental. The longest serving police commissioner, Augustine Chihuri, as well as heads of other security agencies, are ZANU-PF ex-combatants, clearly deployed for the preservation of party-state hegemony (Shumba 2018:46).

Some of the army generals have previously indicated that the office of the president in Zimbabwe is a straight jacket, and that they will never salute anyone without war credentials (*Nehanda Radio* 2009; *Zimbabwe Daily* 2009; *The Zimbabwean* 2011; Gagare 2017), in apparent reference to Morgan Tsvangirai. This self-allocated power makes the armed forces king makers in Zimbabwe. Amnesty International (2008a:3) raises a concern that police were not willing to investigate human rights violations, and failure to arrest suspected perpetrators. This concern is not without basis, because in most cases the perpetrators of the violence are known by victims, but are never arrested. The Amnesty report does not deny that counter-hegemonic forces also participated in human rights violations, and that they too should be arrested. It is the partisan enforcement of the law that the report criticises.

The three month interregnum between 29 March 2008 and 27 June presidential run-off referred to as the "inter-election period" by Masunungure (2009:86), witnessed the worst political violence since 1987.[107] The gravity and crudeness of the violence forced the leader of the MDC-T, who was one of the two candidates to partake in the run-off, to withdraw from the contest a mere five days before voting day (Shumba 2018:55). Human Rights Watch (2011) and Amnesty International (2013:7) indicates that the violence was led by ZANU-PF and the army. In excess of 200 people were killed, 5,000 beaten and tortured, while 36,000 people were displaced. The violence was targeted at individuals suspected to have voted for the opposition in the 29 March election.

According to Timberg (2008) and Shumba 2018:55), the security forces, through the Joint Operations Command (JOC) planned the violence during the inter-election period. Despite the fact that results for the 29 March election took more than a month to be released, the security chiefs and Mugabe met two days after voting to plan the

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[107] The run-off was precipitated by results of the 29 March presidential election that Morgan Tsvangirai won, but not with the minimum 50 per cent plus one vote required by the constitution.

post-election operation. It is clear that they were already aware of the unfavourable results. In fact, in that meeting, they planned an operation initially code-named CIBD – Coercion, Intimidation, Beating, Displacement – which upon implementation involved 200 senior army officials directing militias and war veterans to harass, beat and kill MDC activists and supporters with the intention of depleting them (Timberg 2008; Masunungure 2009:87). CIBD, later known as *Operation Mavhotera Papi* (Operation who did you vote for?), moved a gear up to also target ZANU-PF supporters suspected to have voted for the opposition on 29 March. As Masunungure (2009:87) asserts, the uniformity and pattern of the violence suggested centralised planning and organisation. It was executed by soldiers, police, state secret agents, militias, and war veterans (Amnesty International 2008b:2, 7, Human Rights Watch 2008). This buttresses the point that state security agents had chosen to be partisan in order to preserve the *status-quo*. The coercive aspect of Gramsci's hegemonic dialectic was in full swing. ZESN, a local elections watchdog captured the period poetically:

> When the results were finally released on 2 May 2008, it took almost two weeks to have the run-off date announced on 15 May 2008, during which the run-up to the run-off degenerated into a run-over, leaving in its wake a trail of destruction - houses burnt down, many people displaced and homeless, many children orphaned, and community relations torn asunder. Freedom of assembly and movement were heavily restricted, with rural areas virtually sealed off from opposition rallies. The opposition leadership was subjected to sporadic arrests and detentions, and their campaign activities were under total blackout on national electronic and press media. Hate speech, incitement of violence, and threats of war characterised electoral campaigns, with the ruling party presidential candidate threatening to go back to war if he lost the election to the MDC presidential candidate, whom he considered a puppet of the West (ZESN 2008:5)

Timberg (2008) describes the sordid violence that took place in bases graphically, writing that women were stripped and beaten so viciously that flesh peeled off their buttocks. Men's genitals became targets; some even had this entered into records as the cause of death. At funerals, corpses were in gruesome condition, convincing relatives that trained personnel such as the army could have been involved.

Paradoxically, this trail of human rights violations continued even during the inclusive government period, albeit at reduced levels. This is examined below.

Human Rights violations during the GNU period – 2009 to 2014

The violent human rights violations experienced from 2000 to 2008 toned down at the formation of the inclusive government in 2009. The Government of National Unity

(GNU) was tasked with various key political reforms including a constitutional review, which was to be followed by a credible, free and fair election. However, the fact that an election was to be conducted at the close of GNU, and that ZANU-PF was still pretty much in charge of coercive forces made it unlikely that substantial reforms would occur. As Muzondidya (2013:50) argues, ZANU-PF's strategy throughout the GNU was to engage only in cosmetic political and economic reforms that would not lead to a further erosion of its hegemony. In order to prevent substantial reforms, some degree of violence reminiscent of the previous era was bound to be retained. It was therefore unsurprising that at the end of the GNU, the political situation remained unstable and human rights violations continued.

The four and half year GNU period witnessed minimal alteration of repressive laws. In any case, it was unlikely that the ruling party would have reformed itself out of power. Thus, freedoms still continued to be suppressed, especially those of association, assembly and expression. Laws such as AIPPA, POSA and the Criminal Law (Codification and Reform) Act continued to be useful instruments for the police to arrest members of civil society and the opposition, including some members of parliament. Provisions of POSA continued to be used to deny some public meetings and demonstrations organised by those perceived to be oppositional to the party-state. On 21 September 2011, for example, police arrested WOZA activists who had organised a march to commemorate the International Day of Peace. Their leaders, Jenny Williams and Magodonga Mahlangu had to spend thirteen days in custody before being released (Human Rights Watch 2012).

Solidarity Peace Trust (2012) writes about another human rights activist, Paul Chizuze, who disappeared on the 8th of February 2012. Chizuze had worked with human rights organisations such as the Legal Resources Foundation, Amani Trust, the CCJP, ZimRights and various churches. Other arrests were those of the International Socialist Organisation's Zimbabwe Chapter (ISO) activists, which included its leader Munyaradzi Gwisai. They had gathered for a film and lecture related to the "Arab Spring" events in the Middle East when police pounced on them. Six of them, including Gwisai, spent three weeks in custody being denied bail (Human Rights Watch 2012).

The period leading to the July 2013 elections was particularly of concern to human rights organisations. Several leading human rights defenders were arrested, and a number of civil society organisations had their offices closed by law enforcement

agents, who would also confiscate documents and laptops. The Election Resource Centre's (ERC) employees were arrested in early 2013 for engaging in voter education programmes without the approval of the Zimbabwe Electoral Commission. Abel Chikomo, the director of Zimbabwe Human Rights NGO Forum was also arrested in 2011 and charged with running an illegal organisation, despite that his organisation was formed, and had been operating since 1998. His arrest happened after his organisation had conducted a survey on transitional justice, which did not seem palatable to the party-state. He was later acquitted of all charges (*Daily News* January 2013; Human Rights Watch 2012). Between December 2012 and February 2013, ZimRights leaders (including its director, Okay Machisa) were arrested and denied bail for charges that seemed politically motivated. They were charged with committing forgery and conspiracy to commit fraud, and publishing false statements prejudicial to the state. They were all acquitted at the close of the state's case on 21 June 2013 (Gonda 2013; Amnesty International 2013:15-6).

The cases captured above show that even though the constitution of the GNU was meant to be a transitional period in more ways than one, not least being to transcend political polarisation, not enough was done by all political parties and SADC (as guarantor) to ensure the success of this transition. Legal frameworks that suppressed human rights remained intact. Indeed, blame should be attributed to ZANU (PF) because the party still held a strong sway on state power. Its hegemonic tentacles still remained intact. However, the opposition parties (especially the MDCs) cannot be exonerated since they were represented in cabinet and numerically dominated parliament. Many civil society actors who were interviewed indicated as much, that besides the COPAC process, the MDCs did not do much during the GNU to ensure a democratic dispensation beyond the tenure of the inclusive government (Interviewees 1; 4; 9; 18; 27 & 30).

March towards Fractionalisation?

The idea of fractionalisation is used by many writers to describe divisions in a country's population along ethno-linguistic and religious dimensions (e.g. Annet 2001; Posner 2004 and Lind 2007). However, this study employs the term to characterise division or splitting of an organisation to form two or more discernible organisations. This

division is usually led by individuals who are former key players in an organisation that has split. Fractionalisation should also be understood to include instances when an organisation chips away and becomes leaner after shedding some of its key members who may unsuccessfully attempt to form a splinter organisation. The idea of fractionalisation differs from that of polarisation in the sense that while the later presupposes only two identifiable poles, fractionalisation involves the splitting of organisations into many players. In the main, fractionalisation has a tendency to chip-away the strength of organisations in the sense that such organisations become leaner, and in most cases, they tap from the same support base. However, the process of fractionalisation may not always be negative because it can also facilitate the pluralisation of societal views, increasing pressure points and platforms of participation.[108] For example, where it is tolerated, the negative aspects of polarisation such as the peripheralisation of other alternatives can be assuaged as the hollowing of the middle phenomenon gets weakened.

In Zimbabwe, the solid alliances that characterised the 2008 elections were shattered by events that followed the stalemated election. The formation of the GNU meant that opposition parties became part of the state overnight. This posed questions about future socio-political relations since it was clear opposition parties were not going to wield substantial power in the GNU. Some counter-hegemonic civil society organisations, with reason, began to question the wisdom of entering into a GNU dominated by a party that had lost the election. There was also doubt if opposition parties would wield any influence in the constitution making process (COPAC), whose outcome would determine the governance of the country beyond the GNU. Due to all these uncertainties, the opposition alliance that had developed between 1997 and 2008, dismantled. The NCA, ZCTU, and ZINASU decided not to be part of the COPAC process, while long time partners such as the National Association of Non-Governmental Organisations (NANGO), CZC, religious organisations and many others decided to participate. Lovemore Madhuku, the NCA chairman had this to say in 2012:

> With the MDC we no longer have a relationship, at all. This must be stressed. Our relationship with the MDC was simply on the basis that the NCA helped to form the MDC – that [sic] the MDC would become a political wing of the broad project of trying to make the country more democratic.

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[108] This view is consistent with Afrobarometer's (2009:6) findings which state that both in 2005 and 2009 surveys, 76 per cent of those polled preferred many political parties than just two to ensure Zimbabwean have a real choice of who governs them.

They have since abandoned that. I think from 2008 after the elections (*Daily News* 2012).

While acknowledging that in the past the NCA supported the MDC on the assumption that the MDC would promote "those values we stood for", Madhuku bemoaned the MDC's lack of "principles", saying the GNU and COPAC processes demonstrated that lack of principle. This was also the period when the relationship between the MDC and ZINASU soured, leading to a split within ZINASU, albeit for a brief period (Interviewees 1; 4 & 19).

The GNU period also witnessed splits within ZCTU as some of its former executive members who had been ousted in the federation's 2011 congress went on to form other federations: the Confederation of Zimbabwe Trade Unions (COZITU),[109] and the Trade Union Congress of Zimbabwe (TUCZ [Zimbabwe Today 2017]). All these splits, according to some interviewees, were linked to the overbearing hand of the MDC on ZCTU. No doubt, the moment signalled the rupture and therefore the fractionalisation of the democracy-good governance-human rights alliance.[110] Although this leans the opposition, at another level it should be seen as a positive development because it disrupts the tendency of uncritical consensus within the opposition. As Kendie (2006:93) rightly counsels, change happens when a stimulus is evoked by friction of one group of ideas upon another. When members of the same group begin to maintain different ideas with regard to the same subject, they of necessity evoke comparison, debate and discussion, thus enhancing consciousness. This notion challenges the piecing together of opposition forces for the sole purpose of ousting ZANU-PF, with no clear ideological and developmental content enjoining them.

What may still be missing, but with signs already showing, is the same critical fractionalisation of the pro-party-state grouping. Post the 2013 elections, several "splits" within the ruling party alliance were witnessed, with the Vice-President Joyce Mujuru getting fired from the ruling party, together with many other party members which included cabinet ministers, provincial chairpersons and influential war veterans' leaders such as Jabulani Sibanda. Most of these went to form a political party, which is to contest for state power. More leadership succession battles were to take place beyond 2014, portending the possibility of the ruling party transforming from within.

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[109] Notable amongst these ex-ZCTU leaders was its former President Lovemore Matombo. For more see NewZimbabwe.Com (2016).
[110] In 2014, the NCA mutated to become a political party, and ever since, has participated in several by-elections, buttressing the fractionalisation argument.

The longevity and impact of these splits will be judged in the fullness of time.

Overall, the GNU period seems to have provided an opportunity for a number of civil society organisation to assert their autonomy, and this should be celebrated. After all, the pluralisation of the polity, together with the multiplicity of views brought about by that plurality is what abrogates authoritarianism and neutralises polarisation, giving democracy a chance through critical participation at all levels. The empirical aspect of fractionalisation will be further developed in Chapter 7.

Conclusion

The polarisation between the nationalist-redistributionists and the democracy-human rights groups (1997 to 2008) developed in an environment where the ruling party had been delegitimised (Raftopoulos 2003:235). However, it still managed to drive a violent, anti-imperialist project around issues of land redistribution and indigenisation (Matyszak 2017:4). On the other hand, the human rights-democracy alliance has espoused its agenda mainly through issues of constitutionalism and human rights, but has not sufficiently negotiated its connection with the liberation struggle, the country's history and socio-economic issues to strengthen its embryonic counter-hegemony. Moore (2004:409; 2008b:35-6) believes that these weaknesses, together with civil society's dependence on either the state or external global influences are because of weak class forces within civil society. This lack of autonomy has led to exclusionary tendencies. Those adopting the nationalist discourse dismiss liberal-democracy orientated human rights organisations (and its narratives) as portraying oppositional tendencies, and as puppets of the West. Meanwhile the liberal-democratic alliance accuses organisations aligned to the party-state as appendages of the ruling party, without necessarily engaging with their discourse of land redistribution and indigenisation. The result has been the hollowing-out of the moderate centre – supporting McAdam, Tarrow and Tilly's argument that polarisation hollows the middle (2001:322). Those who do not wish to be exclusively associated with either of the two poles have been denied space to express themselves. This is what polarisation does: it pheripheralises other possible alternatives in favour of the two dominant positions that define the boundary.

Evidently, the party-state apparatus has branded some voices, mainly those coming

from oppositional formations, as unworthy of social circulation (Kagoro 2004:250), and therefore suppressed them, sometimes violently. In addition, within this resource-redistributionist and democracy-good governance-human rights dialectic, thick democracy has suffered as its narrow elitist version – in the form of regular elections (either free or not), property rights, rule of law and freedoms – has taken centre stage.[111] Competition for hegemony has nourished polarisation that has negatively affected Zimbabwe's nascent democracy.

The next chapter, which closely examines empirical data, as well as making use of the conceptual frameworks, ties together all the seemingly expansive but interrelated issues of democracy, hegemony, polarisation and fractionalisation in an endeavour to understand politics in Zimbabwe, especially between 1988 and 2014.

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[111] Hearn (2000:818) has argued that liberal democracy can exist alongside massive material inequalities. Also see Saul (1997) as he contrasts liberal and popular democracies and Sargent (2003:105) on democratic capitalism, social democracy and liberalism.

CHAPTER 7
CIVIL SOCIETY, THE STATE AND DEMOCRACY: THE EFFECTS OF POLARISATION AND THE EMERGENCE OF FRACTIONALISATION

Introduction.

Thus far, the study has interrogated Gramsci's concepts of civil society, the integral state; hegemony and organic intellectuals. It has discussed the notion of democracy (Chapter Two); examined different theoretical frameworks of state – civil society relations (Chapter Three), tracked the phenomenon of polarisation in Zimbabwe since the days of nationalism, and contextualised the political landscape during the period under study (Chapter 4, 5 and 6). As observed by Raftopoulos and Phimister (2004:357), at the end of the 1990s, "Problems of economic neoliberalism as well as the serious democratic deficit of ZANU-PF had created conditions for a general crisis of legitimacy". The corollary of this decline in party-state legitimacy was the development of a counter-hegemonic civil society that worked closely with opposition parties. The interplay between an imploding hegemony and the development of a counter-hegemony is very central to a democratic discourse.

What follows in this chapter is an analysis of what players within civil society, the party-state, and in political parties perceive as the genesis of these polarised relations, how such relationships have been nourished, and how they have contributed to the state of democracy in Zimbabwe.[112] Interviewees' perceptions of the role of political parties, ideology and donors in the democratisation process will also be analysed. All this should be understood within the context of either buttressing party-state hegemony, or development of a counter-hegemony. The analysis is structured and discussed in turn under the following seven themes: (a) polarisation (b) political parties and civil society, (c) ideology, (d) the role of donors (e) state – civil society relations, (f) fractionalisation of organisations, and (g) the role of organic intellectuals. All this will guide us to make a determination on the effects of the above issues on democratisation in Zimbabwe.

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[112] Afrobarometer (2009:9) indicates that fifty-seven per cent in 2005 and fifty-eight per cent of those polled in 2009 were of the view that Zimbabwe is not a democracy, while only fourteen and twenty-six per cent respectively were satisfied with the level of democracy in the country.

Polarisation of politics in Zimbabwe

While the idea of political polarisation should not be exaggerated, it is certainly present in Zimbabwe's politics. One can borrow Harrison's (2017:874) words about Rwanda to buttress this point on Zimbabwe. Polarisation's significance derives its relative intensity from the fact that "it organises around a single division between a sense of condemnation or support for the current government, both of which produce a certain kind of blindness to a fuller picture". This conceptualisation has been ventilated in academic writings (LeBas 2006, 2011; Ncube 2010; McCandless 2012; Gallagher 2015; Chan and Gallagher 2017) as well as in local communities. Previous chapters have shown that in Zimbabwe, polarisation is not a new phenomenon. What seems to be new, and will become apparent in the following discussion, is that its manifestation in the 1990s and 2000s has gravitated more towards the democratisation discourse than on anti-colonialism, ethnicity and centrism – which were the basis of pre-1988 polarisation. This study interrogates state – civil society relations in general, but focusses mainly on selected human rights organisations that have been prominent since 1988.[113] What has been established both through interviews, literature and field observation is that in terms of programming, these organisations have organically divided themselves into two broad movements. Ncube (2010) characterises these two groups as pro-hegemonic and counter-hegemonic, while Helliker (2012b) calls them the radical-nationalists and liberal-democrats.[114] Thus, it was common to find ZCTU, ZINASU, NCA, CZC and ZLP working in a complementary, collaborative or cooperative manner, while ZNLWVA, ZICOSU and ZFTU worked closely with the party-state, and also complemented each other's programmes.

All civil society actors interviewed stated categorically that for a long time, working with the "other" side of the polarisation dialectic was discouraged, and was likely to earn one the "sell-out" label. Statements such as "we never had any working relationship with Chenjerai Hunzvi's war veterans because they were seen to be pro-government" (Interviewees 5 & 46) or that "we could not work with them because they

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[113] Human rights in this context are viewed broadly to include labour, students and political rights. These organisations are the Zimbabwe Congress of Trade Unions (ZCTU), Zimbabwe Federation of Trade Unions (ZFTU), Zimbabwe National Students' Union (ZINASU), Zimbabwe Congress of Students' Union (ZICOSU), Zimbabwe National Liberation War Veterans Association (ZNLWVA), Zimbabwe Liberators Platform (ZLP), National Constitutional Assembly (NCA), and Crisis in Zimbabwe Coalition (CZC).
[114] Moyo and Murisa (2008:98-100) call them liberal democracy-governance-human rights versus the nationalist-redistributive-anti-imperialist ideological thrusts. See also Ncube (2010:239).

were counter-revolutionary" (Interviewee 15), were common responses from the counter-hegemonic group and the pro-hegemonic group respectively. In fact, some organisations such as the ZCTU, ZINASU and the NCA had made a formal pact to stick together through thick and thin until they fulfilled their goal of a people-driven democratic constitution (Interviewee 37). One interviewee, a former president of ZINASU characterised the relations within civil society as follows:

> Well from the list that you have given, I can tell you that some of the organisations were associated with the state, others were somewhat associated with the pro-democracy movement. CZC, ZCTU and NCA are in the group of the pro-democracy movement or project. The war veterans, ZICOSU, and ZFTU are sort of an extension of the *status quo*, supporting ZANU-PF. Thus we never worked with those that were interested in preserving the *status quo*, but we had a relationship with those who were part of the pro-democracy movement, namely the ZCTU, ZLP, NCA, CZC (Interviewee 1).

Another former student leader who is currently working in civil society made the division lines even clearer:

> To make the answer to that question a little bit easy, we can utilise the dichotomy that was developed by Cornelius Ncube (2010) where he characterised civil society as either pro-hegemonic or counter-hegemonic. So for all those that are counter-hegemonic we have a working relationship with them, but those that fall on the other side they do not want to see us. They believe that we are agents of the West. We do not work with ZICOSU, ZFTU, but we do work with ZINASU, ZCTU (Interviewee 19).

This cliquish feeling by the counter-hegemonic groups was also evident in pro-hegemonic groups. Given an opportunity to cite organisations they cooperated with, the interviewees were categorical. An example is captured below:

> The problem with most of these organisations is that they were founded for a purpose, which was against the revolution... For example the ZCTU in its original sense was part of the struggle… ZANU-PF did not have a sense of tolerance and because of that some of these organisations were trampled out. When they resurfaced, they were being sponsored from outside with the purpose of removing ZANU-PF. And that forced people who did not like ZANU-PF that much like myself, to defend it. We had to choose the better between the two devils (Interviewee 15).

Probed to elaborate on why collaborating with the other side would be detrimental to their agendas, the responses varied, but all pointed to (mis)perceptions of each other.

> I think mainly it could be perceptions. Our perceptions of them and their perceptions of us, the reciprocal process as it were. A lot of these organisations were formed directly in response to a certain crisis and situation as they perceived it. Most of them believed that it was because of bad governance and they need to change government as a way of solving our problems. So their area of concentration became different from ours. Because we did not join them, or did not work with them, they labelled us ZANU-PF as it were. On our part we labelled them MDC and that is where it ended (Interviewee 26).

All the quotations above are particularly rich in two ways. Firstly, the tendency to associate members of the other group to either the party-state or to foreign interests

was a reciprocated practice, where both sides were aware and acknowledged what the other side thought of them. These feelings were not disputed by either group, and as would be seen later, such feelings were not far off the mark because for the counter-hegemonic group, most of its funders were external, mainly from Western countries, while for the pro-hegemonic group, its support, in cash or kind, came from the party-state. This is exactly what is meant by Moyo and Murisa's characterisation (2008:94), albeit one sided, when they say the ZNLWVA-peasants-ZANU-PF alliance challenged the ZCTU-NCA-MDC alliance on the grounds that the later was protecting interests of white farmers, domestic and foreign capital; and that it was receiving moral and material support from the West.

Secondly, what should be noted from the above, which also contextualises the phenomenon of polarisation in the late 1990s and 2000s, is that most of the leaders involved in the counter-hegemonic groups were either former students leaders (ZINASU), intellectuals, lawyers or unionists. Very few former ZINASU leaders, if any at all, went on to lead party-state aligned civil society organisations. However, for the counter-hegemonic cluster of civil society, they did. For example, ZINASU, together with the ZCTU and other major players within the human rights movement, went on to form the NCA in 1997. The activists who formed the CZC in 2001 were members of the NCA, and most had links with ZINASU or the intelligentsia. This intricate web of pro-democracy organisations was such that players within the network had predetermined friends and allies within the polity. Thus, a channel that facilitated the division of labour specifically within the counter-hegemonic group tapped from former student and labour activists, and ended with the opposition party. Equally worth emphasising is that members of the pro-hegemonic civil society, which emerged from the mid-1990s via the gravitation of ZNLWVA towards the party-state, and the formation of ZICOSU and ZFTU in 1998, created its own restrictive and exclusionary collective that unobtrusively prohibited engagement with actors from the other side. The practice of labelling an insider who cooperated with members of the other side a "sell-out" was a feature in both sides, and was used as a strategy to enforce a modicum of discipline by discouraging straying, in terms of both programmatic association and ideology.

However, the relations portrayed above did not totally exclude attempts at working together for the benefit of membership, albeit transiently. Such attempts at collaboration were unavoidable for membership organisations such as the students

and the labour movements. For example, ZICOSU and ZINASU executives were occasionally forced by circumstances to work together because their responsibilities were unique from the rest of their networks. At one point during the GNU, the Parliamentary Portfolio Committee on Higher Education invited the students' unions to come and discuss issues affecting students. The only progressive choice open to both was to collaborate and discuss matters prior to the meeting with parliamentarians in order to develop a common position (Interviewees 4; 42 & 45). The ZCTU and the ZFTU are also occasionally forced to meet with the state and employers at the Tripartite Negotiating Forum (TNF), a platform where labour, the state and employers meet for collective bargaining (Interviewee 26).[115] Asked if the two federations have interests that can be viewed as substantially different, a Labour Registrar within the Department of Labour and Social Welfare said in most cases these unions have more or less similar issues, and they agree on many matters brought to the TNF. But if they disagreed, which sometimes happens, it is not the domain of the department to intervene. They are encouraged to go and deliberate and have a common understanding.

According to both ZFTU and ZCTU, at times there is congruence between the two federations on issues pertaining to labour. They also hold bi-lateral planning meetings before a TNF in order to craft a common labour position (Interviewees 26 & 40). However, such collaboration is infrequent, and is only at executive level – members on the ground do not collaborate. Both ZFTU and ZICOSU were of the view that this limited collaboration will never grow beyond these small doses of staged cooperation because of strategy incongruities. They argued that their colleagues in ZCTU and ZINASU think it is the broader political set-up that must be changed in order to realise gains specific to their membership, a view ZFTU and ZICOSU do not share (Interviewees 26 & 36). Hence, collaboration was limited while contradictions were common.

More evidence of the polarisation phenomenon was shown by how easily the NCA and the CZC managed to transcend their differences in 2001. Despite the fact that CZC was formed because of dissatisfaction with the internal politics within the NCA as

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[115] For more see Magure (2008) who argues that as long as national governance issues are not resolved by the ruling party, the TNF will always remain a "talk shop" and the economy will not improve. This counteracts ZFTU's position that governance issues should not be unnecessarily invoked to constrain labour reform.

discussed in Chapter Six, such contradictions did not prevent the NCA and the CZC from cooperating and working together. As one activist from the CZC summarised it, "We shared the same values… we related in a way that allowed us to come together to push the same goal" (Interviewee 16). To use Najam's (2000) framework, even though their means may have been dissimilar, their goals were similar, thus they were bound to complement each other. If either of them organised a march, invitations would be extended to the other. Examples include the 18 November 2003 ZCTU organised street march in which leaders of ZCTU, CZC and NCA were arrested and detained, and the 11 March 2007 CZC-organised Save Zimbabwe prayer rally, where leaders of NCA, CZC, and both MDCs were all arrested and tortured by the police (Chimhete 2003; Muranje and Chizhanje 2007).

It has been mentioned that both the pro-hegemonic and counter-hegemonic alliances differentially emphasised *some* national questions, and underemphasised *others* that may have deserved the same prominence. Let us interrogate why such selective, and sometimes uncritical differentiation occurred. The structural set-up of some of the organisations provide partial answers to this question. The CZC and the NCA were coalitions made up of institutional members, meaning that their members were established organisations in themselves with objectives, ideologies and processes of their own. This coalitional set-up had two implications that need flagging. The first one was its impact on organisational ideology, which will be discussed in one of the sections below. The second implication concerns the effects such a set-up had on relations between individual entities within the coalition and other organisations outside the coalition. An example clarifies this idea better. The Zimbabwe Lawyers for Human Rights (ZLHR) was a member of the NCA and CZC. The way ZLHR related to other organisations within the alliance can be predictable, but how did it interact with organisations in the pro-hegemonic block? A Divisional Manager at ZLHR said:

> We are a member of the CZC. We also work with the NCA, ZCTU and with ZINASU. We always represent them in court. Sometimes they get too enthusiastic and they find themselves on the wrong side of the law. The ZFTU and ZICOSU we have never directly worked with them (Interviewee 11).

Being a member of a coalition belonging to one side of the polarisation dialectic inhibited interaction with other organisations from the other side of the boundary. This is because of the codes and values that antagonistic coalitions had to maintain. Interestingly, other interviewees observed that polarisation was not just a civil society

problem, but a cancer affecting the entire polity. Thus, in an environment that is polarised, it became acceptable that civil society had to mirror such a context. Some interviewees opined: "You get civil society groups that are apologetic, that work very closely, that do not question, that are not critical of government…", and then you have civil society that "opposes the *status quo* on everything and prefers to work with the alternative" (Interviewees 6; 10 & 14). This argument raises a chicken and egg question: Was it civil society organisations that led to the polarisation of greater society or was it a polarised society that led civil society organisations to polarise? What became apparent from the historical section (Chapter 4) is that polarisation in the Zimbabwean polity is not a new phenomenon. It did not emerge with the recent emergence of human rights organisations. It has been used as a political strategy for a long time. However, the emergence of human rights organisations from the late 1980s enabled the discourse of democracy to nourish polarisation. It may not be that people sit down in planning meetings to strategise on how to maintain polarisation, but, being exclusionary in planning and programming is in itself perpetuating the phenomenon. The notion of "us" versus "them" narrows possible alternatives as it "produces a certain kind of blindness to a fuller picture" (Harrison 2017:874). However, as will be discussed later, more centres of power within civil society developed during the 2009-2013 GNU, and previously narrowed areas of discussion broadened, in the process potentially tampering with the polarisation phenomenon.[116]

Another dominant theme was that political parties were responsible for the polarisation of civil society in Zimbabwe. It is to this aspect that we now turn.

Political Parties and civil society

In February 1999, more than 40 civil society organisations (making up 365 delegates [ZCTU 2000:132-4]) gathered in Harare at the National Working People's Convention (NWPC) to deliberate on the political environment in Zimbabwe.[117] Before this

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[116] This will be discussed below under the section "Fractionalisation of civil society" where it fits better.
[117] For one to have a clear understanding of the outcomes of the NWPC, it is important to understand that the convention held on 26-28 February 1999 was a culmination of a long process that involved several phases. Phase One comprised the compilation of raw data and the ZCTU/ORAP (Organisation of Rural Associations for Progress) pre-convention consultation process reports covering 26 urban, peri-urban and rural centres across the country which took place between October and November 1998. Phase Two involved the Convention planning process, including the formulation of the agenda, the objectives and the development of theme papers to guide discussions. Phase Three was the actual

gathering, many civil society organisations had been unhappy with the socio-economic and political environment in the country,[118] but none had attempted to create an alternative political party to drive the required change.[119] The NWPC gathering, and the subsequent formation of the MDC in September 1999, not only crystallised the counter-hegemonic or democratic alliance, but also solidified political party influence on civil society. The organisations that created the MDC became aligned to the party, in the process defining themselves outside the ZANU-PF-state alliance. Thus, when the ZCTU, the NCA and ZINASU made a pact to stick together in order to realise a "people driven constitution", it was a tacit agreement to defy the party-state, and to support the MDC.

The party-state did not stand by and watch as robust civil society organisations gravitated towards the opposition party. It started to manipulate the environment by developing its own civil society organisations, buttressing the binary nature of the polity. This was also highlighted by Ibbo Mandaza, a public intellectual in Zimbabwe (Tendi 2010:14), when he argued that ZANU-PF also became more astute by creating its own civil society organisations at almost every level – and funding them. This process can be viewed as part of how a securocratic state works (Interviewee 8). Almost all interviewees from the counter-hegemonic groups did not hesitate to show their repugnance of the idea of working with ZANU-PF linked organisations, but did not mind being linked to the MDC.

With the pension awards granted to war veterans in 1997, ZANU-PF's overtures to attract the ZNLWVA succeeded. In 1998, the ZFTU and ZICOSU were created. As indicated in Chapter Five, leaders of these two organisations denied that they were formed either by ZANU-PF, or alternatively created to advance a party-state agenda. But should we take their word at face value? The founding president of ZICOSU, Gabriel Shumba, now a human rights lawyer, maintains that when he formed the union in 1998, he got no influence from ZANU-PF, and the objective was never to compete with ZINASU. By looking at his activism post-university, and that of the union's

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Convention held on the 26-28 February 1999. This last phase led to the "Declaration of the National Working People's Convention" by the 365 participants (ZCTU 2000:97).

[118] This dissatisfaction can be exemplified by the incessant demonstrations during the implementation of the structural adjustment programme, the formation of the NCA to agitate for a new constitution, the unrest by war veterans leading to the pay-outs in November 1997 and the students' unrest between 1997 and 1998.

[119] Some level of acknowledgement may be accorded to ZINASU, which was clearly enthused by the 1990 formation of ZUM, but was not actively involved in the formation process.

founding secretary-general who went on to become an MDC Councillor, it is tempting to accept their explanation that at formation ZICOSU had nothing to do with ZANU-PF. Shumba was arrested and tortured by state agents for his human rights activism and hounded out of the country in 2003. His torture led to the International Commission of Jurists to write an open letter of complaint addressed to President Mugabe.[120] Shumba says it was only after his tenure that "students sympathetic to the ruling party took over the union, which was started with very noble goals of diversifying and amplifying the students' voice", and he says what transpired thereafter can "only be characterised as identity theft" (Interviewee 42).

ZFTU, formed in 1998, presents a different case in that the person who formed it was a ZANU-PF member who had led the ZCTU from 1981 to 1985. The deputy secretary-general of the federation insisted that ZFTU is a workers' union that has the right of existence as much as the ZCTU (Interviewee 26). This cannot be denied. However, the involvement of Joseph Chinotimba,[121] a ZNLWVA leader, amongst many other ZANU-PF supporters, and the subsequent assistance given to the federation by the party-state (as discussed in Chapter Five), as well as the factory invasions that mimicked the infamous land invasions, make it difficult to deny that ZFTU had a close association with ZANU-PF from the start. In fact, in 2001 after losing an attempt to lure the ZCTU back to the ruling party, Chinotimba and others worked closely with ZANU-PF's labour department to strengthen the ZFTU (Dorman 2003:860). It is because of its close linkages with the party-state that Rutherford (2017:95) describes it as a union formed to undermine the strength of the ZCTU. ZFTU, particularly strong in the sugar industry located in the South-Eastern towns of Chiredzi and Triangle, forced its way into the labour sector through coercing workers to join (Centre for African Journalists 2017). One ZCTU provincial executive member observed:

> We used to have a union there but it then went over to the ZFTU. People were forced to contribute to two unions at the formation of ZFTU and some of them ended up dropping ZCTU and continuing with ZFTU because contributions to the ZFTU were forced. The ZFTU joining forms had a clause which actually prohibited pulling out of the union. So there was dual contribution and some people could not afford. Hence, many of them had to pull out of the ZCTU… Its leaders are war veterans, and they instil fear in all other workers in the industry (Interviewee 21).

This confirms what the *Zimbabwe Standard* (2002) said about ZFTU forcing workers

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[120] The letter is available online (International Commission of Jurists 2003).
[121] Chinotimba was one of ZFTU's founding members, and a controvertible deputy president during the time of fieldwork.

and employers to sign stop order forms. A ZTFU leader struggled to clarify:

> An example is what we have in the Tongaat Hulett Sugar giants, where we have a challenge. We established that the company had converted the plant union to be a puppet union, where the company was actually negotiating with itself and signing those arguments as if they are coming from a collective agreement arrangement. So we went there and overturned the system, replaced the leadership of the plant union and right now as we speak, through our efforts we have reached a dead end in negotiations for the first time particularly on wages… The value of this discussion is that ZFTU is engaged in enterprise-level or sectorial level in overhauling collective bargaining agreements. We will not allow unions that just become puppets (Interviewee 26).

While the ZFTU indicated that it was not an appendage of the ruling party but its strategic ally for ideological reasons, many other civil society actors seemed to think otherwise.[122] For example, a ZCTU provincial executive member opined that when ZFTU was formed, it was actually to destabilise the ZCTU. The process of its formation was that ZANU-PF looked for political alignment and used its members to form a counter union (Interviewee 21). ZFTU went on to work very closely with the party-state for the entire period under study. Yet this was not unique. If the ZCTU participated in the formation of the MDC, and went on to work very closely with that party, the ZFTU, cannot be singularly blamed for working closely with ZANU-PF while ZCTU is praised for doing the same with the MDC-T. There is a common perception that civil society embedded in opposition parties is more representative of the sector than the one working closer to the party-state. An MDC-T secretariat official represents this kind of thinking best:

> We are a labour backed party. There is no way we can sever our relationship with the ZCTU and the 40 organisations that came to a National Working People's Convention, which created the MDC. But as I indicated earlier, the state has gone on to create its pseudo civil society organisations and I would go on as to point organisations such as ZICOSU, formed to counter ZINASU, ZFTU, formed to counter ZCTU. So they are some organisations that to us have departed from core values of the democratic strategy and they are some that we still enjoy very good relations. So we have a good relationship with the ZCTU, ZINASU, and CZC. We now do not have a working relationship with the NCA because it has turned into a competitor (Interviewee 17).

It is disingenuous to argue that only those organisations supporting a specific political party are genuine, while the rest are "pseudo civil society". It is equally disingenuous to view organisations that cease to support a particular political party as having departed from the values of democracy. Such a tendency, together with the practice of labelling other organisations as sell-outs, shows the extent of intolerance in the civil society realm in Zimbabwe. This is why some important national questions such as

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[122] The reasons given by ZFTU as evidence that these two are independent of each other were that ZANU PF has its own Constitution and democratic structures, while ZFTU also has its own Constitution and democratic structures (Interviewee 26).

indigenisation, human rights, land reform and democracy have suffered – some organisations tend to follow party positions uncritically. Of the three political parties included in the interviews, only those from ZANU-PF and the MDC-T indicated that they have a very close working relationship with the identified civil society organisations. The other (MDC-N) indicated that it occasionally works with civil society organisations, but not on a permanent basis, as it wanted to give civil society the space to be able to do its own programming (Interviewees 7; 12 & 14). This absence of a close relationship may be a lack of traction than the professed principle. However, as Najam's (2000) model contends, relations with and amongst civil society players should not be permanent. Each programmatic contact must bring its own type of relationship.

Political parties and leadership contests in civil society

The incestuous relations that ZANU-PF and the MDC-T shared with some civil society organisations led political parties to get entangled in leadership contests within these organisations. Thus, if ZINASU or ZICOSU elections were to be held, these political parties would subtly seek to determine who is elected to lead these organisations. It was also the same with ZCTU and ZFTU, where the MDC-T and ZANU-PF respectively sought to determine the outcome of leadership contests. A former secretary-general of the MDC conceded that such interest was there, but blamed it on contestants within these organisations who he said opportunistically invoked the party president's name in order to show that they had a "heavyweight" on their side (Interviewee 38). This is nonsensical in the sense that one cannot win simply on the basis of invoking a heavyweight's name without his explicit support. One MDC leader said the following regarding leadership elections in civil society:

> The temptation would be for me to say as the MDC we allow civil society organisations to do what they want to do, but that's not the reality on the ground. When we realised that ZANU-PF had taken civil society as an arena for the struggle we also went there to define our interests. So we have an interest on who possibly emerges as leader of ZINASU. I guess this study is academic and is meant for knowledge production, and I have to be honest. So we have interest on who eventually controls any particular civil society organisation, because if we do not do that, we are literally surrendering the battle to ZANU-PF. And that is where future leaders are coming from, so surrendering that is dangerous (Interviewee 17).

A civil society activist concurred.

> Yes they did that. One of the big fights within the NCA was about who leads the NCA, and this is the time when Prof. Madhuku emerged. At that time Tsvangirai preferred his own person who was Prof. John Makumbe. As student leaders we were opposed to that because we did not want that kind of imposition of leadership. I recall that at the elective conference, Tsvangirai came together with Makumbe and others, and they were quite embarrassed and humiliated because they lost the election, but also because people openly spoke out that you cannot impose yourself or come to impose candidates on the NCA. This is why Prof. Madhuku had more support internally in the NCA, but less support from funders because funders believed in the Tsvangirai-influenced CZC project, and not the NCA project (Interviewee 43).

The above was collaborated by other former NCA leaders (Interviewees 1 & 13). In 2011, the ZCTU experienced internal ructions linked to the MDC's overbearing hand. The party leadership was in favour of one faction over another, leading to a court case that dragged and threatened the federation's legitimacy (News Day 2011; *Chronicle 2011*; Munyoro 2014; Zimbabwe Today 2017). Several offshoots of the federation emerged thereafter as was discussed in Chapter Five.

For the ZNLWVA, Jabulani Sibanda, elected to lead that organisation in 2001, was also elected ZANU-PF provincial chairperson the same year. He was fired from his party position in 2004 after he was accused of being part of the *Tsholotsho* declaration.[123] He was never formally readmitted back into the party, but was roped into the party's mobilisation teams and campaigned for the party in the 2008 and 2013 elections. However, in 2014, he was "fired" from ZANU-PF for being aligned to Vice-President Joyce Mujuru, who had also been fired for plotting to dislodge Mugabe from his position. Immediately thereafter, Sibanda was forced out of his ZNLWVA chairmanship, ostensibly because he was no longer a ZANU-PF member.[124]

Admittedly, the reason why political parties want to interfere with the internal affairs of civil society organisations is because these organisations sometimes present themselves as mobilisation tools and instruments that could be used and abused, rather than as autonomous organisations representing a different constituency. The desire to choose leaders for these organisations is thus based not only on the need to ensure continued linkages, but also a guarantee that whoever takes over the leadership position is someone who understands that objective.

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[123] The Tsholotsho Declaration was a meeting that was convened by some members of ZANU-PF in a remote place known as Tsholotsho. The agenda of that meeting was to plan a "coup" to remove Mugabe as the president of the party, and replace him with Emmerson Mnangagwa. The secret meeting was exposed and many participants were subsequently suspended, and later some were readmitted after tendering apologies to Mugabe.
[124] The interviewee giggled and poked fun at the idea of him being "fired" in 2014, when he was never readmitted into the party after his 2004 debacle, arguing that the party was really stupid to fire a person who was already fired. See also Mazarire (2013:84).

Political Funding

Political funding is part of civil society – political party engagements. Some organisations were used either to fundraise for political parties, or as conduits to channel funds to political parties since the constitution of the country prohibited direct external funding to political parties. An active member in the counter-hegemonic group revealed:

> For example if there was some monies to be channeled into the political party, or to be used for causes that are going to benefit the MDC, they would be channeled through Crisis Coalition. And that has been problematic. We largely saw that during the programme "Save Zimbabwe Campaign". This is a campaign that was conceived in civil society, but the MDC came in and contaminated everything, leading us to where we are today (Interviewee 13).

Another senior leader in the CZC was asked if his organisation had participated in fundraising for any political party, especially the MDC-T. The response was:

> Officially I would say no. But I cannot completely discount that because we occasionally did… One of the proposals that I rejected had been a proposal to work with the MDC-T in a joint venture which was not clear. This joint venture was supposed to be called the "Global Advocacy Campaign", which was a proposal coming from different quarters. From one side it was coming from our board, and some senior members of staff, and also people from the opposition, the MDC-T. It was meant to be a huge fundraising campaign platform. It was going to be a very complex process. The other player in that proposal would have been the Institute for Democratic Alternatives for Zimbabwe (IDAZIM), based in South Africa. This was the institution that eventually had a stronger and closer financial relationship with the MDC-T (Interviewee 43).

Apparently the proposal referred to was later fulfilled by IDAZIM, an institute that existed only for five years between 2008 and 2013. It was formed to give policy alternatives to the GNU, but mainly to MDC-T. When it was formed, the idea was to shepherd what was perceived as a transitional process in Zimbabwe. One interviewee, a key member of IDAZIM is quoted at length below to fully capture in context the idea of "technical support".

> The main thrust was to support democratic actors and its institutions as part of the accompaniment to deliver a democratic transition outcome for Zimbabwe…but when it came to Zimbabwe, firstly the operating environment was difficult, the space for civil society was contrived and shrinking. IDAZIM, therefore had to operate from South Africa. The key actors perceived as requiring support to shepherd the Zimbabwean transition at the consummation of the inclusive government were the office of the Prime Minister, which we thought was central, and with enough capacity, it was going to contribute much towards democratisation. There were also several ministries, mainly occupied by the MDC-T… The MDC itself as a political party was also conceived as part of driving processes of transition in Zimbabwe. Thus the main focus of IDAZIM was: the office of the Prime Minister, the MDC-T, and various other ministries led by MDC-T ministers, including the Ministry of Constitutional and Parliamentary Affairs led by Advocate Eric Matinenga, and the Ministry of Economic Planning led by Elton Mangoma. These are the institutions IDAZIM was supposed to provide technical support to in its broadest sense – from facilitating intellectual engagement from outside the country, to have reflection sessions and meetings, to proffer policy and strategic advisory services, including negotiations. Even during the initial negotiations themselves, IDAZIM was central and did work with MDC negotiators and

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> facilitated access to different international expertise, to take them through reflective and strategic thinking processes. IDAZIM received some grant, mainly from USAID and it was a significant grant to support the transition process working with these kind of institutions, mainly conceived at a technical assistance level (Interviewee 9).

The MDC was part of the state during the GNU, and assisting the Prime Minister's office was tantamount to assisting the state, but it is clear that the IDAZIM assistance was partisan and meant to prop up the MDC-T under the guise of assisting the state. No wonder IDAZIM closed doors after the dissolution of the GNU.

Yet, the funding that parties and civil society organisations received from local and international funders should be appreciated for several milestones it helped to achieve. The MDC and its aligned civil society benefited from such funding as they were capacitated to embark on substantial mobilisation around the discourse of democratisation. This helped to bring the Zimbabwean crisis to the attention of the international community from 2000 onwards, and aroused regional and global desire to normalise relations in Zimbabwe. In the same vein ZANU-PF and its associated organisations can also be recognised for successfully mobilising rural masses through using traditional structures as well as its flaccid village cells. Unfortunately, sometimes this was achieved through violence (Raftopoulos 2006a:10; LeBas 2011:178), but this is part of the processes of hegemonic construction that Gramsci theorised.

State and civil society Relations

The notion of a party-state was used earlier to describe institutional weaknesses where the ruling party usurps the autonomy of state institutions and appropriates them to perform private functions outside the state realm. This condition presents analytical problems when interrogating state – civil society relations. This difficulty is evident in the following sentiments of an MDC-T member:

> It is very unfortunate, the dictatorship that we have been fighting has entered into an incestuous relationship with state institutions. It is no longer possible to define the political party with which we compete from state institutions. Put simply, ZANU-PF has embedded itself within state institutions that include the police, the Army and all other state institutions. To that extent our relationship with these institutions is becoming polarised. We do not get a good deal from the police. We lost a good number of our members before, during and after the 2008 elections, and up to now no one has been arrested by the police for that violence (Interviewee 17).

Many civil society organisations also expressed this view strongly. Their opinions amount to a narrative starting with ZANU-PF taking power in 1980 and systematically working out a governance system blurring the lines between state and party. This was

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a build-up towards a one-party-state system, or what others call electoral authoritarianism (e.g. Schedler 2006). Thus, later when opposition parties and counter-hegemonic civil society engaged state institutions such as the police and army, the response bordered more on coercion than consent (see Chapter Six).

To show the bias of some state institutions, another MDC official gave as an example a court application by Tsvangirai, lodged in 2000 to challenge the legitimacy of the parliamentary results where he lost against a ZANU-PF candidate (Interviewee 8). This case is also captured in an MDC legal report compiled by David Coltart (2006) their Legal Secretary. The trial commenced on the second of March 2001, and judgement was passed in favour of Tsvangirai on 26 April 2001. ZANU-PF lodged an appeal at the Supreme Court, and immediately thereafter, several tapes and notes of the record were stolen from a locked office at the high court, making it impossible for the appeal to proceed. Meanwhile, the ZANU-PF candidate continued to be a Member of Parliament for a full term, and needless to say, the case was never concluded (Coltart 2016:5). Despite the above reservations, the state – civil society relations are analysed below using Najam's (2000) Four C's model.

The Utility of the Four Cs Model.

Ncube (2010:232) is of the view that instead of being there to complement the state, post-1997 Zimbabwean civil society organisations were set up to provide an alternative centre of power. While his second proposition of alternative centres of power may be valid, the first proposition of civil society existing to complement the state is weak. This is clear when Najam's (2000) theoretical model is utilised to understand civil society – state relations. The Four C's model characterises state – civil society interactions as either cooperative, co-optive, complementary or confrontational. The measure of these relations is predicated on the similarity (or dissimilarity) of goals and means preferred by the organisations involved. If both goals and means are similar, the resultant relationship would be a cooperative one. If the goals and means are dissimilar, this results in a confrontational relationship. If the goals are similar, but the means to achieve them are different, then a complementary relationship is likely to ensue. A co-optive relationship arises when the goals pursued

are dissimilar, but the actors chose to adopt similar means.[125]   Any of these relationships can be entered into and exited at any time and therefore should not be seen as permanent.

Starting in 1988, civil society organisations such as the ZCTU and the student movement began to organise themselves autonomously outside the state. Several factors led to this, not least amongst them being the ruling party's penchant towards a one party-state; the introduction of the liberal economic structural adjustment programme; and shrinking of the democratic space. This moment, the study argues, signalled the transmogrification of relations between these organisations and the party-state from a cooperative to a confrontational relationship. This rupture also signified the emergence of a counter-hegemonic civil society. This counter-hegemonic civil society was elaborated further as the years went by, especially between 1997 and 1999 when the NCA and the MDC were formed. In the paragraphs that follow, the study examines the types of relations that the state and a polarised civil society developed. These findings are informed by fieldwork as much as they are also dependent on preceding chapters.

a. NCA and Party-State Relations

A number of organisations that had already established a confrontational relationship with the state and its structures formed the NCA. ZINASU and ZCTU had intermittent run-ins with the police and courts between 1988 and 1997. Thus, when the NCA was formed in 1997, not only were its friends and colleagues predetermined, its relations with the party-state were also predefined. Of course, an ambivalent (in terms of its relations with the state) Zimbabwe Council of Churches, also took an active role in the formation of the NCA (LeBas 2011:130).

A former ZINASU/NCA leader characterised NCA – state relations as mostly acrimonious and conflictual since the formation of NCA. The reasons given were that the state was distrustful of counter-hegemonic civil society, which it perceived as an extension of opposition politics. However, in 1999, there were overtures by the party-state when it tried to lure the NCA to be part of the party-state controlled Constitutional Commission. The NCA, not keen to cooperate with the party-state, rebuffed these

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[125] See Chapter Three for more on Najam's Four C's model.

attempts.[126] Even though there was an attempt to reach out by the party-state, relations have never been cooperative or complimentary. Thus, their relations can be characterised as having been confrontational until the time the study was conducted.

b. *Students and the Party-State Relations, 1997-2014.*

The student movement had a slightly different experience from the NCA when it came to relating with the party-state. Firstly, the smaller of the two students unions, ZICOSU, has a cooperative and complementary engagement with the party-state. It has been invited to attend ZANU-PF party congresses several times, and has also staged demonstrations in support of the party-state. A ZICOSU member even opined that if the entire student movement wanted a successful march that the police would not disrupt, the ZICOSU side of the student movement would have to lead it. If ZINASU led it, that member opined, police would always be suspicious (Interviewee 36).

For ZINASU, the period before and after the GNU was distinct. Between 1988 and 2008, its relations with the state were always confrontational. Several students' leaders were expelled from institutions of higher learning, and some had to complete their studies in universities outside the country. As a former student leader explained:

> At the time I arrived at the University of Zimbabwe in 1995, there was a clear disengagement between state structures and the student's movement… For example, the Central Intelligence Organisation [CIO] was the most vilified and hated state institution, and they had a lot of students on campuses as informants and spies. With the Zimbabwe Republic Police [ZRP], it was another cat and mouse relationship, always confronting students when they were expressing their democratic rights… And police were known for being brutal on students, so it was a very bad relationship. Also the media, the Zimbabwe Broadcasting Corporation, the *Herald*, and state owned media, there was a bad relationship because students viewed them as propaganda machines (Interviewee 5).

Such confrontational relations persisted until the formation of the GNU in 2009 when the MDC-T and the MDC-N became part of the state, even though their lack of influence   was clearly visible. Thus, between 2009 and 2013, even though the state did not assist students that much materially[127], engagements with state institutions such as the police were no longer as confrontational as before. In addition, as a former

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[126] See Chapter Five for more on attempts by the then Minister of State, Edgar Zvobgo, to try and convince the NCA to be party of the Constitutional Commission.
[127] One of the notable interventions by the state was the slashing of university tuition fees in 2009 from the newly pegged $1,200 to between $350 and $600 per semester in response to student demonstrations (ZINASU 2010:5)

student leader argued, before the GNU it was difficult to get an audience with any state institution. Things changed slightly with the GNU wherein "we had former students and student leaders who were part of the inclusive government", even though the ministry responsible for higher education remained with ZANU-PF (Interviewee 1).[128]

c. *The Crisis in Zimbabwe Coalition and the party-state relations*

The CZC's experiences were almost the same as that of the students. Their relations with the state were confrontational before the constitution of the GNU, to the extent that their communication with the party-state was always via a demonstration or a march (Interviewee 28). The state would learn what CZC activists wanted through a march, with no attempt at engagement. CZC was of the view that any courteous engagement with the state would not yield anything positive (Interviewees 16 & 34). However, from 2009 onwards, relations became cooperative as both were working towards a new constitution. Their goals coincided. This was possible only because the MDC-T, which was aligned to the CZC, was part of the state, and the CZC could not be seen to be oppositional to a state that included the MDC-T. A CZC activist summed this up as follows:

> The CZC in overall terms was called by the party-state "an enemy of the state". This is why at various intervals, you had members of the coalition, its leadership and employees being harassed, arrested, detained, and so forth… However, it would be important for us to move with this question in historical epochs, so that we give relevance to particular conjunctural moments. If you look at the period between 2010 and 2013, during the GNU, a number of civil society organisations, CZC included, became part of the activities of the state. For example, CZC participated so much in the constitutional reform process via the Constitutional Parliamentary Committee (COPAC) and other activities that were being driven by arms of the state such as ministries. From that point of view, you would actually say there was complementarity. At that conjunctural moment, it made sense for CZC to cooperate with the state because of the inclusive nature of the politics that Zimbabwe was pursuing (Interviewee 16).

Thus, during the GNU, CZC and the state cooperated and complemented each other. After the GNU, CZC continued to convene inclusive discussion panels and policy dialogues, inviting state officials to partake. Indeed, some state bureaucrats did attend these events (Interviewee 20). Thus the GNU moment can be credited for paving the way for tolerant engagement between the CZC and the state.

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[128] See appendix for the allocation of ministries during the GNU

d. *The Labour Movement and the party-state relations*

Labour federations had a mixed relationship with the state. On one hand, they interacted with the state at the Tripartite Negotiating Forum (TNF) where negotiations were always robust. The Ministry of Public Service, Labour and Social Welfare, with its broad scope, became a focal point for the state, employers and unions to meet. A Labour Registrar within the ministry indicated that even though it was public knowledge that the ZCTU was central in the formation of the MDC, it was treated as independent and autonomous from that party. The Registrar observed that at times, within the TNF platform, the ZCTU would try to push an agenda that was similar to what the MDC would be agitating for in broader society. She would not say the same about the ZFTU regarding its relations with ZANU-PF.

The ministry's dealings with labour were regulated by the Labour Relations Act and the Constitution, and according to the ministry, such dealings are democratic as both federations have enough space to participate (Interviewee 2). This was confirmed by both federations, who said their dealings with the Ministry of Labour were not so different from how they have always related to that Ministry since the 1990s (Interviewees 26 & 40). ZCTU indicated that its main problem with the state were the police, who were not prepared to allow unions to exercise their democratic right to protest (Interviewee 40). What was discussed in Chapter Five about the police and the army harassing, arresting and beating up ZCTU leaders and activists was collaborated by interviewees, most of whom had been direct victims of such harassment. Thus, while the ZCTU and the state shared a somewhat ambivalent, but mostly confrontational relationship with organs such as the police, the ZFTU and party-state organs shared a cooperative and complementary one.

e. *War veterans and party-state relations*

The ZNLWVA had equally ambivalent relations with the state from its formation until 1997 when war veterans were awarded gratuities. Henceforth the association drifted closer to the party-state, as was discussed in Chapter Five. In response to a question about relations with the state, a member of the Zimbabwe National Liberation War Veterans Association (ZNLWVA) said, "Because we are the sons and daughters of the

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same product, our relationships are very cordial. Of course, sometimes we may clash here and there, but our relations are very good" (Interviewee 25). Indeed, from 1997 to 2014, their relations were cooperative to the extent that war veterans became foot soldiers of the party-state when it came to land occupations during the farm invasions era (Mhanda 2011b). Both shared similar ends and means. However, from 2014 to 2017, indications were that their relations were gravitating towards non-cooperation and confrontation (VOA 2014). In 2016, the state unleashed riot police on war veterans who were demonstrating against the party-state (Gaffey 2016). Even though such developments are a manifestation of the fractionalisation phenomenon, more of which will be discussed below, the events from 2015 onwards are largely outside the purview of this study.

On the other hand, because the ZLP was born into the hands of the counter-hegemonic civil society, and actively associated with organisations such as the NCA and the CZC, the party-state perceived it as part of the opposition, and as an organisation formed to counter the ZNLWVA. Added to that, ZLP's leader, Wilfred Mhanda, was critical of Robert Mugabe dating back to the liberation struggle, which saw him incarcerated in Mozambique for more than three years under Mugabe's instructions.[129] Even though ZLP and party-state engagements were not openly confrontational, they were not cooperative and complementary. There was also no collaboration between the ZNLWVA and ZLP because the later viewed the former as controlled by ZANU-PF (Mhanda 2011b) while ZNLWVA perceived ZLP as part of opposition and sponsored by foreign interests (Interviewee 25). Their means and ends were not necessarily similar.

Overall, the relations between civil society and state institutions (especially the police, courts and secret agents) were narrowed to either cooperation or confrontation. This does not mean that complementarity and co-optation ceased completely. There were instances were the last two were practised, but it was not as prominent as was the case with cooperation and confrontation. This will be emphasised in Chapter 8.

What role did the legal environment play?

By way of summary, it is important to acknowledge how existing legislation helped

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[129] For more on Mhanda and Mugabe relations, see Mhanda's memoirs (2011a); Moore 1990

define the kind of relationships that developed between the state and civil society. The Public Order and Security Act (POSA [2002]), Access to Information and Protection of Privacy Act (AIPPA [2003]), the Criminal Law Act (CLA [2006]), the University of Zimbabwe Amendment Act, (1990) as well as the Private Voluntary Organisations Act (PVO Act [1995 and as amended in 2007]) were the main legal prescripts that forced contact between the party-state and civil society.[130] Almost all interviewees from the counter-hegemonic alliance were emphatic in their disapproval of these Acts. The common view was that these pieces of legislation hindered freedoms of movement, speech, expression, association, and access to information. The legislation also permitted the state "to always control and direct activities of non-state actors" (Interviewee 40). Abuse of legislation, especially by the police, hinders popular participation in most facets of Zimbabwean politics, thereby stifling the process of democratisation. Ordinary people cannot afford to organise, discuss and affiliate freely without interference from party-state agents. Thus, the legal environment has been successfully used or misused to emasculate the effectiveness of counter-hegemonic civil society, in the process exposing weaknesses of purported linkages between notions of the rule of law and democracy.

Civil society and ideology.

This study does not attempt to provide a universally accepted definition of ideology, but gives a brief discussion of the concept. As Eagleton (1991:1) notes, ideology has a whole range of useful meanings that are not compatible with each other. He provides six ways to understand the concept of ideology (1991:28-30). These definitions range from the most general to those that see the essence of ideology as nothing more than the perpetuation of ruling class ideas (e.g. Marx and Engels 1974:64; Abercrombie and Turner 1982:398). Ideology can be seen as a set of ideas by which people posit, explain and justify ends and means of social and political action, irrespective of whether that action preserves, amends, uproots or rebuilds a particular social order (Eagleton 1991:6-7). Thus, based on this understanding, the usage of this concept in the study has been focused to mean a system of values, beliefs or organising ideas

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[130] These pieces of legislation were discussed in Chapter 4.

that give effect to a structured process of governance chosen by any particular social group. This focused, yet not so rigid conceptualisation acknowledges that the idea of ideology can also be applied in societies that may not have discernible class-based organisations.

Thus, one can identify three ideological orientations that have been attractive to political actors in Zimbabwe. There is liberalism, which posits liberty and individualism in economic and political life, and advocates for reduced state involvement in these aspects. The second is social democracy, which espouses participation in economic and political institutions, and encourages the state to intervene in these aspects in favour of the poor. Then there is nationalisation, which calls for transformation of private assets into public assets by bringing them under the control of the state. To understand how these ideologies link up with the idea of hegemony, one has to look at the influence of the country's history, particularly the epoch of the liberation struggle (up to 1987), structural adjustment programmes (late 1980s to 1997) and land redistribution (1997 to 2008). The ruling class' hegemony has always been connected to what it achieved during the liberation struggles, but suffered serious reputational and legitimacy setbacks during the liberal structural adjustment period. The party-state then sought to resuscitate its waning hegemony through redistributionist policies between 1998 and 2008.

The opposition-civil society alliance that sought to provide a counter-hegemony rode on the ruling class' hegemonic crises experienced during the structural adjustment and redistributionist periods. Hence, at inception, the counter-hegemonic alliance espoused some form of social democracy which resonated with the poor who had been battered by the ravages of the structural adjustment programme as was discussed in Chapter 5. The violent land redistribution programme implemented by the party-state in the early 2000s also provided legitimacy to those calling for an alternative government. However, the counter-hegemonic alliance gradually lost its orientation towards social democracy as it became entangled with forces whose properties had been repossessed. This shift towards liberal democracy contributed to its faltering counter-hegemony (to be discussed later). The following section discusses ideological orientations as was captured during fieldwork.

What is your ideology?

Common phrases that were used in response to questions about ideology can broadly be understood within either liberal or Marxist interpretations. Phrases such as the rule of law, human rights, democracy, freedoms and separation of powers represented the liberal side, while the Marxist understandings espoused social democracy, local ownership of resources, sovereignty, the recognition of the role played by workers and the centrality of the state in development. Some of this is within the context characterised as "Mugabeism" by Ndlovu-Gatsheni (2015:16-17), who describes it as a degenerated nationalism in which a single individual and his political party try to symbolise the nation, albeit with no coherent ideological content. Mugabeism involves processes that consistently worked to delegitimise all other political actors that threatened Mugabe's power, and was practised mostly as politics of survival and opportunism during a crisis. It involved counter-balancing of coercion and consent as argued throughout this study.

All organisations from both sides of the polarisation dialectic claimed that they practiced democracy within their organisations and advocated for it society-wide. One then needed to make sense of these variegated ideological persuasions that are all in pursuit of "democracy". Fortunately, by utilising the polarisation linkages discussed thus far, a pattern in the responses could be established. A ZFTU executive member said ZFTU believed in egalitarianism, equity and fairness: He said:

> We are an ally with ZANU-PF because it is founded on socialistic egalitarian policies, or ideas which are based on equity, fair distribution of wealth created. And of course wealth created presupposes that there was production in the first place. So we must contribute towards production fairly and also share the proceeds fairly, and to that extent we agree. This is why we supported the land reform process. So when we say we support the land reform people say we are an appendage of ZANU-PF. It's the land policies that we are supporting, we are not supporting the mismanagement of the process, which is what created the crisis. (Interviewee 26).

A war veteran who is also a ZANU-PF member said:

> When we left for the liberation war it was clear that colonialism was bad and the best way was to fight it. When we got our independence we did not get economic independence, so when we formed the ZNLWVA the idea was to fight for the economic side. It was important to sit down as a group of those who participated in the war to find ways of accessing the economy. And this is why we support the programmes of ZANU-PF (Interviewee 25).

A former leader of ZNLWVA, who argued that it was nonsensical to continue separating ideas as either Marxist, liberal or capitalist, argued that the main values of his association were to improve the welfare of war veterans at every level, going

beyond the pensions that were awarded (Interviewee 15). Partly agreeing, a former student leader observed that student leaders at the University of Zimbabwe in the late 1980s were influenced by Marxist-Leninism.[131] However, in the 1990s, the human rights discourse influenced student activities more, but still managed to maintain linkages with worker organisations and other international student organisations from pro-socialist countries such as Cuba (Interviewee 5). They began to call themselves the voices of the voiceless.

In the NCA, there was no official declaration of an ideological position. This is understandable because the NCA was a coalition of many organisations. It would have been difficult to weld together their different values to arrive at one common ideological position. Thus, the assumption was that they were pursuing a liberal agenda – human rights, property rights, accountable executives and the separation of powers – to be enshrined in the Constitution (Interviewee 37). The CZC also found it difficult to follow a definitive ideological position. This difficulty was also brought about by the fact that CZC had many disparate members. The quote below captures this succinctly:

> I think the question of ideology has been a very difficult one for us as an institution because we have got a lot of members who have their own different ideological underpinnings and they bring these to the coalition. But what we have done is to try and create a balance. What is not in question is our agenda around the question of democracy. What kind of democratisation is what is under discussion, but I think if you want to look at it in terms of issues we have been pursuing, we are social democrats in nature. We believe in democratisation with a human face, democratisation that does not just talk about liberal tenets only, but also the socio-economic side (Interviewee 19).

The NCA, ZINASU, ZCTU, ZLP and CZC programmed around values of respect for the rule of law, the need for democratisation, civic participation in policy matters, and human rights. Most of these speak to liberal democracy with tenets of social democracy, and are not different from those of the MDC as explained below.

Gorden Moyo, a former MDC national executive member, said his party was very clear on ideas, and its frame of thinking was the promotion of human rights from a social democratic perspective, a pro-poor approach (Interviewee 14). In contrast, a former director of the party looked at ideological differences between the party's original executive, and those who came later (especially commercial farmers who joined after the post-2000 farm invasions) to explain what some would say was the party's ideological inconsistencies. According to this former director, the party

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[131] This collaborates what is captured in Zeilig 2006, where Arthur Mutambara explains how, as student leaders, they were addicted to reading socialist literature they obtained from the East Germany, Russian, Chinese and Cuban embassies in Harare.

attracted trade unionists, civil society players, employers, capitalist, lawyers and workers – all of different class persuasions. Welding together their variegated interests into an identifiable and consistent ideology would have been difficult. A strong current within civil society believes commercial farmers saw the MDC as an opportunity to advance their own cause, which was not necessarily social democracy (Interviewees 4; 17; 29 & 39). And this explains why the MDC's policies quickly took a more liberal than social democratic orientation. This is acknowledged by Tsvangirai (2011:295-6) who observes that the party was like an omnibus that took on board everyone who was against Mugabe, including proponents of free market economy. However, a few lines later, Tsvangirai seems to contradict himself when he says his party, which he says was "positioned centre-left", was ideologically superior to ZANU-PF (Tsvangirai 2011:296).

Despite the lack of ideological clarity for all the civil society organisations studied in this thesis, their political suasions were polarised to a degree of proximity to either ZANU-PF or MDC-T. Aside from that, there seems to be little basis to explain the consistency in their alliances. Most of the civil society organisations had no consistent ideological compass to direct their programming. What then kept these alliances stable? The answer may be found in Martin's (2015:16) argument that political alignment is usually a "'package deal', not 'a la carte' in that when choosing a side, we chose all the opinions held by the party representing that side, kit and caboodle" (2015:16). Thus, when civil society aligned itself to either ZANU-PF or MDC, it accepted them as packages. In some instances, organisations suppressed some of their values in order to fit into those of a political party, the only vehicle by which to access state power. Specifically for the opposition movement, alliances were often facilitated by the exigencies of the struggle and the unity of purpose aimed at assisting the MDC to dislodge ZANU-PF.

Ideological weaknesses were to become an Achilles heel for civil society organisations, especially when some important national discourses got peripheralised by these organisations. It is notable that one could not find the NCA, CZC or the MDC agitating for land reform with the same rigour and vigour as they did for human rights and rule of law. It was as if the resource ownership structure prevailing in the country did not irritate them. They also failed to couch their language and ideas in a contextual manner – to speak to the local – especially peasants in rural areas. Hence, one civil society activist concluded that the counter-hegemonic group's weakest position was

its failure to negotiate historical injustices with global democratic standards, including the assumed universality of human rights and values of good governance (Interviewee 37). A prominent Zimbabwean academic and a civil society activist conceded that the counter-hegemonic civil society did not take socio-economic issues on board except in the early 1990s when the ZCTU raised them as a critique of ESAP. "For the broader rights movement in the 2000s, it was more about civic and political rights, human rights and the land debate was not really central to it" (Interviewee 28). To be sure, the counter-hegemonic group did not have linkages with peasant groups. Such linkages would have allowed it to penetrate the rural realm as did the party-state when it co-opted the war veterans. However, it should be emphasised that the counter-hegemonic groups were under-equipped to embark on such programmes given the structural issues that were involved. They depended heavily on external funding, and it would have been difficult, for example, for donors to fund land reform programmes because of the impact such programmes had on property rights (Interviewee 28).

On the other side of the dialectic, the ZNLWVA, ZFTU and ZANU-PF found no interest in campaigning for human rights, political rights or the observance of rule of law. In fact, ZANU-PF and its allies delegitimised the counter-hegemonic group's agenda by saying it represented foreign interests, fixated on regime change – a narrative that was portrayed by the ruling alliance as incongruous to democracy, uniquely foreign and a bane to a "true patriot". Their ideological position was predicated on what they perceived as the defence of national sovereignty and resolution of the national question (Ndlovu-Gatsheni 2013:149). Therefore, the programmes they embarked on were portrayed as part of fulfilling nationalism, hence the christening of FTLRP as "Third *Chimurenga*".

It should not escape this discussion that the nationalist programmes ZANU-PF embarked on from 1999 onwards were also opportunistic in the sense that a relatively strong opposition party had been formed, and the period from 2000 to 2005 presented four voting opportunities that would have harmed the ruling party. Indeed for the 2000, 2002, 2005 elections, a win for the opposition party seemed imminent, but never came. When it eventually came in 2008, the party-state and its alliance responded with extremely crude violence to maintain its hegemony.

Based on the above, it would seem the popular ideologies in Zimbabwe were those represented by the two dominant political parties. These ideologies approximated

elitist-nationalism[132] and *elitist liberal-democracy*. They are explained below.

Elitist nationalism was predicated on land redistribution. During the fast track land reform programme (FTLRP), 160,000 new households (around one million people) were resettled on new land across the country (Scoones *et al* 2010:207; Moyo 2011b:496). Moyo (2011b:494) writes passionately about the benefits that accrued from the FTLRP. Some of the benefits included transformation on the roles of various agrarian classes. Even though this emphasises redistribution, transformation and decongestion of formerly overcrowded areas, most benefits were in essence unevenly in favour of elite groups. Many high ranking ruling party officials became owners of multiple farms, with some ministers laying claim to more than five farms each (Mambo 2012). The redistributional and democratic deficits of the FTLRP are also recognised by Moyo (2011b:493). Unionism in the agricultural sector was also negatively affected. The main union in the agricultural sector, the General Agricultural and Plantation Workers' Union of Zimbabwe dropped its membership by almost 400% from 250,000 to below 60,000 members due to the fact that most permanent workers lost their jobs (Hartnack 2015:141). Sympathetic researchers such as Scoones *et al* (2010:127-8) estimate that in excess of 45,000 permanent worker households were displaced and had to move to find alternative residencies elsewhere. For a country that suffered under the dominance of a settler government, the notion of redressing material inequalities as part of deepening democracy and social justice would have been valuable if the process of redistribution had been conducted in a fair, transparent and inclusive manner (Ndlovu-Gatsheni 2013:149). However, what became clear is that genuine issues of access to socio-economic goods were entangled with the politics of survival and opportunism to produce what this study refers to as elitist nationalism.

Elitist liberal democracy for its part focused on the governance question, especially its liberal democratic ideals of human rights, the rule of law and freedoms (Ncube

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[132] An example of elitist nationalism would be the way land reform was conducted in Zimbabwe. While Moyo and Murisa (2008) and Scoones *et al* (2010) are of the opinion that land reform was a process from below, and benefited the poor masses, more scholars such as Zamchiya (2011), Rutherford 2012, Chingarande (2008), and several newspapers indicate that the greater part of land reform benefited the elite, mainly those linked to ZANU-PF. Mambo (2012) gives the following names of people and the number of farms they own is indicated in brackets: Edna Madzongwe (6), Ignatius Chombo (5), Obert Mpofu (3), Kembo Mohadi (4), Webster Shamu (4), Reward Marufu (Grace Mugabe's late brother) owned two farms, while President Mugabe's close relatives owned a total of more than 12 farms. *The Zimbabwean* (2009) provides a broader list, and all the listed people are linked to ZANU-PF. This explains why the party has not taken concrete steps to conduct a land audit to ascertain who got what in the process. However, for our purposes, multiple farm ownership, and the take-over of farms "peg for peg" by new owners, certainly shows the elitist nature of the programme.

2010:239), even though it carried some aspects of social democracy. This study maintains that this ideology was elitist in the sense that it managed to resonate with the urban middle classes, but failed to connect with the peasant masses and the urban poor. The social democratic aspect of the opposition alliance was corroded because opposition concentrated more on issues that did not immediately resonate with the poor, especially in the countryside. Southall (2017) also argues along the same lines when he says opposition forces "failed to give sufficient attention to the intimate linkages between human rights questions and economic issues, prioritising 'rights' over 'redistribution'". Issues of good governance, regular elections, property and human rights are important, but they need to be correctly balanced with socio-economic needs of the poor, who constitute the majority of the population.

Of note, however, is that both sides (mis)appropriated the idea of democracy as the basis for their respective policies, albeit differently understood. And both sides went on to implement *some* tenets of democracy, albeit its "thin" versions that benefited mainly the elite (Campbell 2003:135; Moore 2013:47).[133] These elite forms of democracy converged in 2009 when the ruling party and the opposition, influenced by regional leaders, pacted and created a unity government.

The role of donors also played a huge part in determining the way civil society and the party-state interacted, and it is to that role that we now turn.

Donors, civil society and democracy

For this section, it is important to clarify that the party-state is also treated as a funder of certain civil society programmes. Thus, if the party-state uses its might and reach to ensure senior leaders of the ZNLWVA are given farms for patronage purposes, then it is considered as part of civil society funding.

The question on the role of donors produced very divergent views within the counter-hegemonic civil society organisations that had seemed to agree on pretty much everything else. While many acknowledged that donors had played a central

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[133] Some might argue that it is being generous to say ZANU-PF has at any stage practised even the thinnest version of democracy. However, because democracy is such as broad notion – the practice of regular elections, including for local government, the parliamentary system, the 2013 Constitution and the referendum that gave it its existence – are some of the actions that may justify the application of the idea of "thin" democracy for Zimbabwe.

role in determining the trajectory of activism, others believed that donors had done no such thing because organisations drafted proposals and donors funded that which organisations requested. The same divergence was also observed within the pro-hegemonic civil society groups. While some viewed the role played by donors, including the party-state, as detrimental to the watchdog role of civil society in that whoever provided funding became insulated from scrutiny (Moyo 2000:67-73), others believed that donors had done more good than harm to both segments of civil society. Others, seemingly arguing from the middle ground, noted that the organisations that allowed donors to run away with their agenda were doing so as consenting adults, and thus, realised how doing so benefited them.

On being asked whether he thought donors had contributed to polarisation of civil society in Zimbabwe, a former leader of ZINASU and later an NCA activist sounded dejected that his organisation had been abandoned by donors:

> Yes, especially within the pro-democracy structures, some civil society organisations and NGOs are darlings of donors. But there are others the donors view as rogue civil society organisations. This was more pronounced during the inclusive government, especially those who were supporting the constitution making process, COPAC, versus those who were against the process. During that time all resources were directed to those supporting COPAC. But in a democracy purporting to promote plurality of ideas, donors should have supported both those who were pro-COPAC and those who were against that process (Interviewee 1).

An MDC-T secretariat member seemed to contradict himself when asked what level of influence donors had on the MDC's and civil society's programming, saying donors had no influence in MDCs programmatic activities. "We work with the donors where we have common interests… The element of influence on our programmes is very limited". Yet concerning donor influence on civil society, he said "unfortunately yes because they were wholly relying on donor funding… One who pays the piper calls the tune. In whatever they do, they abide by the conditions of the funder" (Interviewee 8). Two former ZINASU leaders who served during different periods had different perceptions of donors, one disputing that donors sought to influence civil society agenda, while the other said:

> We had bad experiences with American funding. American funders always want to dictate the pace. They always want to tell you what to do. At ZINASU level we had serious problems with the Americans to the extent that they would even want so and so to be the leader. So they would put too much interference in our day to day work. With the other funders, the Scandinavian countries, they were not hands on, you tell them what you want to do and they give you the money if what you want to do is in line with their programming. They will just come for auditing than the hands on approach practiced by American funders (Interviewee 4).

The comparison between the American and Scandinavian funders should be

contextualised. The Americans poured in more money into civil society than any other donor in Zimbabwe. Furthermore, American organisations such as USAID employed Zimbabwean nationals to be in charge of their local programming. This might have had implications on relations that would develop, as discussed below.

More contradictions between the 2006-2008 and 2008-2010 ZINASU executives became manifest. The 2006-8 executive, with good intentions, established a permanent secretariat department within ZINASU. This secretariat was staffed by employees who were non-students, and its coordinator was a former student leader. The motive of setting up such a structure was to ensure preservation of institutional memory and longevity of the union's programmes, because students' executives come and go within two years. The USAID was providing funding for salaries of the secretariat, and the head of the USAID department responsible for that was a former ZINASU leader. When the next ZINASU executive was instituted in 2008, it faced difficulties working with this secretariat made up of non-students, whose mandate did not come directly from the students. Some students felt that this secretariat was usurping the powers of the student executive because the secretariat's structure literally mirrored that of the student body. Both had information, gender and finance officers. This led to disagreements since in the eyes of some within the students, the secretariat had become a parallel structure. These disagreements led to a temporary split in the student body, where some leaders aligned to the MDC-T supported the secretariat, while those linked to the NCA rejected the secretariat, and also accused the USAID for interfering with its internal affairs (Interviewees 1; 4 & 44).[134],

The structural modelling of donor funding defines one's role in that relationship. In most cases, civil society organisations enter into a contract with a donor after responding to a request for applications (RFA). Donors craft their objectives before they make a call, and the applicants are by default expected to step into the confines determined by the funders' contract. In other instances, funders approach specific organisations of interest. The CZC was once a recipient of such a contract worth US$1,9 million from the USAID. A former executive had this to say about that relationship:

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[134] The split was temporary because after the term of this executive expired at the end of 2010, the ZINASU factions got back together.

> That kind of agreement comes with all sorts of things. First and foremost the contract is as big as your thesis, full of all sorts of rules and regulations which no-one will be able to follow in full. But amongst those regulations there are some things that take away your power and independence. For instance, we were asked who our key personnel are… Now if you list those people as key personnel for the project, USAID needs to concur with you that these are the right people to do that job. They may not concur. When you want to replace the director later…, USAID can come and say the replacement is not right. So there is a certain amount of power that is taken away. The idea is that you are implementing the project together and there is what is called substantive involvement. It means USAID or whoever is responsible for the project should be involved in major decisions (Interviewee 19).

The saying "he who pays the piper calls the tune" is made true by what is portrayed in the quote above. What it also means is that for the duration of that contract, the manager of the civil society organisation would be co-managing the organisation with donors.

Raftopoulos, while acknowledging the positive role played by donors, bemoaned the disappearance of the middle class, a process that has forced organisations to depend more and more on donors. Thus, if donors were to decide to fix agendas, managers in civil society, whose salaries depend on the same donors, would find it difficult to assert their autonomy. Raftopoulos opined:

> When we began the NCA, we had very little money. Most of us were what you would call the middle class, independent. We were either lecturers, lawyers, some were in business, etc. We had a level of autonomy from the donors, even though we were getting assistance. That decreased as the autonomy of the middle class shrunk, and there was greater reliance on the agenda of the donors, and that meant less autonomy (Interviewee 28).

Other civil society players were even more crude in describing civil society's compromised autonomy. "The donor community has been kicking the ball and everyone else is chasing that ball," one activist observed (Interviewees 39). Another said: "If you are running an NGO, and interested in getting funding, you must be able to read what funders are looking for and the shifts they make, and adjust accordingly" (Interviewee 18). The implication is that donors have their own agendas, and they wish to implement them through local organisations. Thus, as donors shift between different areas of focus such as governance, capacity building, constitutionalism, or alter their relations with the state, recipient organisations must also shuffle their objectives accordingly. If they do not do so, funding will leave them behind as new organisations get formed in pursuit of such funding. It is this short-termism by donors which forces organisations to engage in mission creep, where it becomes programmes following the money, and not money following programmes, which is not good for democracy.

Other respondents, amongst them David Coltart, a veteran human rights lawyer took a comparative approach to answer the question on the role of donors. He opined:

Let me say donors in the past have played a very constructive role, and when I look back, I was a trustee of the Legal Resources Foundation (LRF) for 21 years, and the LRF was never partisan. It set up various centres for poor people, it worked on *Breaking the Silence,* and exposed *Gukurahundi,* and produced a credible report on who was involved, and educated people about their rights, and it was never overtly anti ZANU-PF. It stood for issues… However, there is the other side. The donor community, especially in the last ten years, has encouraged the emergence of civic groups that were increasingly and overtly partisan, and appeared to be used as conduits for funding political parties. It seemed to me as if there was a shocking waste of resources; massive amounts of money appeared to be directed to those organisations (Interviewee 6).

A dependency syndrome also developed. Donor funds became the only source of sustenance for both programming and recurrent expenditure. There was a whole new body of civil society leadership with salaries far above most Zimbabweans', while the organisations they were leading were not production based. Donor funded organisations became an industry and they became the employer of choice for many graduates. Such tendencies almost became self-defeating because sometimes the sole goal appeared to be fundraising so as to maintain the completely unrealistic lifestyle of the leadership.

At a more abstract level, even if it was neither their intention nor fault, donors' presence actually enabled ZANU-PF to spin its way back into life. The ruling party, through spin doctoring at times, used donors to construct a narrative of anti-imperialism, which enabled it to gain sympathy with most African countries (Interviewee 14). In bigger fora, Mugabe would identify bigger targets such as the United States or the European Union (EU), but locally that message would have refracted onto these countries' embassies and donors. Thus, in a subtle way, and because of their questionable legitimacy, donors enabled Mugabe to utilise the ideology of Pan-Africanism and anti-imperialism to recreate the liberation history in order to assume a high moral ground amongst his peers in Africa (Ndlovu-Gatsheni 2013:144-7).

After the 2013 elections, it became clear that donors were fatigued. Less and less money was directed towards the civil society realm. **Figure 6** below illustrates this decline in the budget for governance activities from one donor, the USAID. Of course, from around 2009, many external donors began to develop cordial relations with the state, which explains the massive increase in donor funds that entered the country during that period. Post the 2013 elections, there was a sharp decrease in funding directed towards governance programmes in civil society.

Figure 6: US Funding to Zimbabwe

(Developed by author based on figures obtained from USAID website 2017).
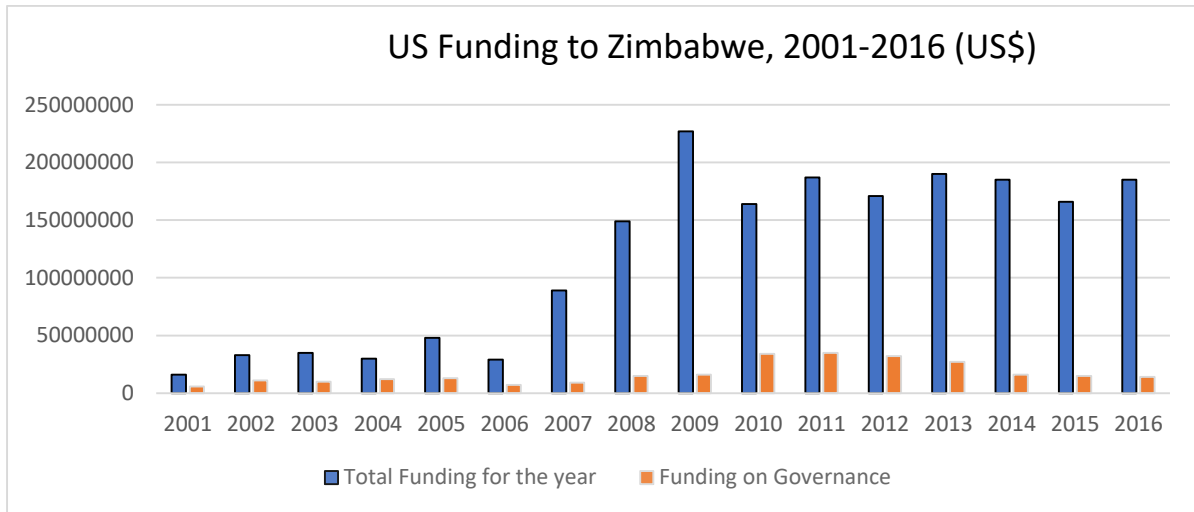
The decline in funding could be that the Western governments that provided most of the funding were now focusing on other pressing issues such as the refugee crisis in Europe, a surge in terrorism and disease epidemics. Some interviewees associated the decline in funding to MDC-T's loss in the 2013 elections ([or ZANU-PF's win] Interviewees 8; 13 & 24). The result has been that many civil society organisations have closed doors, while others reduced their operations due to shrinking budgets.[135] This, no doubt has disoriented some organisations and has affected their more than a decade long attempt at solidifying a counter-hegemony. Evidence of this disorientation is in the fracturing of organisations, especially those in the counter-hegemonic group, which is the subject of the next section.

The fractionalisation of civil society and political parties.

For the MDC, fractionalisation started not long after it was formed. This was in 2005 when the party broke into two factions – MDC-N and MDC-T. This split did not lead to the concomitant fragmentation within counter-hegemonic civil society as most organisations chose to align with the MDC-T. Thus, democracy oriented civil society walked the bumpy road to the 2008 elections closer to the MDC-T than any other

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[135] This researcher was attached to NANGO during fieldwork, and observed the decline in civil society activities. Informal discussions with those involved indicated that the decline was attributable to declining funding.

opposition party. The question of whether or not to be part of the 2009-2013 government of national unity (GNU) is what led to sharp tensions within the counter-hegemonic group (Magure 2009:269). The pro-hegemonic civil society remained relatively intact through the entire GNU period, but started to show signs of fracturing in 2014 due to ructions linked to ZANU-PF's succession battles. Events leading to the 2005 MDC split are discussed below.

The 2005 MDC split – "How to describe a duck"

It remains inconclusive whether we should view political parties as part of civil society, but this study's position is that political parties represented in state institutions should not be considered as part of civil society. Hence, ZANU-PF and the MDC cannot be defined within civil society because their presence in parliament and other state structures makes them the target of civil society's fury. However, as has been the position of this study from the beginning, in Zimbabwe, civil society has been embedded in or aligned to political parties to an extent that when some political parties cough, certain sections of civil society catch the cold. Thus, a fracturing of the MDC or ZANU-PF always filters to affect some sections of civil society.

The 2005 MDC split was consummated when the two factions held separate congresses in early 2006. After a legal tussle, the smaller faction maintained the name "MDC", while the other adopted "MDC-T" as its name, using the initials of its president. Several reasons can be advanced for this split, but most of them were not visible in the public domain. To understand that split, the BBC (2005) analysed the dynamics of the party's foundation. At formation, MDC brought together city workers and farm labourers, small businessmen and big landowners, Zimbabwe's Shona majority and the Ndebele minority, those in academia, and a small number of white Zimbabweans. David Coltart, who was also deeply involved both in its formation and split, expressed its multiple causes, but his explanation was along the same lines as those of the BBC:

> Well if you are to describe a duck and you look at it from the front you see its beak, and you then say that is what defines a duck, if you look from the back you see its tail and would say that is what defines a duck. I have no doubt that the same applies to describing the reasons for the split. I put it down to a number of factors, but in its core is that we compromised on one of our founding values, mainly the pursuit of nonviolence… The second point is that the MDC has always been a broad church. It encompassed so many ideologies as well as different thoughts and to that extent they were a lot of fault lines right from the very beginning, the ethnic fault lines, ideological fault lines between trade unionists and capitalists, and ZANU-PF came in and exploited those

fault lines. They exploited that divide between the left and the right. And another critical factor in my view was the fact that Tsvangirai was not in Parliament and they exploited that by driving a wedge between Tsvangirai and the bulk of the MDC parliamentarians (Interviewee 6).

Both the BBC and Coltart's views are collaborated by Raftopoulos (2006a:13-16, 24)[136] who captures the findings of two internal party commissions set up to investigate the turmoil prior to the split. The findings of the first commission were not made public as the commissioners failed to agree on the final report (Raftopoulos 2006a:13). Raftopoulos flags the "kitchen cabinet", composed of presidential aides, as one of the major causes of the split (see also Harare24 News 2012). This was an unofficial parallel structure aligned to the party's president, which many perceived as usurping the powers of the secretary-general and the management committee. The "kitchen cabinet" may have had access to clandestine funding, and its undermining of decisions of the management committee led to discord in the party's programmes, thus contributing to the bad relations and violence that were to follow (Raftopoulos 2006a:15, 24).

From the onset, most of the organisations that formed the MDC, including churches and human rights organisations had believed fervently that the best way to defeat ZANU-PF was by using non-violent methods. However, in 2004 and 2005, violence began to manifest within the party. Some members believed the "kitchen cabinet" and "agent provocateurs" fostered the violence (Interviewee 6 & 12). Coltart argued that even though Tsvangirai never actively promoted it, he and others certainly turned a blind eye and did not try to stop it (Interviewees 6). Most of the violence was directed at those suspected to be against Tsvangirai's leadership. The youths who partook in the violence were taking instructions from somewhere, but nothing was done to their handlers despite them being known (Raftopoulos 2006a:15). Additionally, many people who had gone into the MDC had gone in thinking the struggle was going to be a short-term battle.[137] With the dragging on, tensions and cleavages began to emerge, thus some started to resort to violence. The party-state took advantage of this weakness, and used the 2003 treason trial to drive a wedge between Tsvangirai and

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[136] Brian Raftopoulos was one of the mediators who tried to resolve the MDC 2005-6 schism which led to the split of the party (Tsvangirai 2011:458). He therefore writes the referenced article with benefit of first-hand information.

[137] If those who joined the struggle for democracy in Zimbabwe had been exposed to Gramscian theory, they would have known that a war of position, unlike that of manoeuvre, is a protracted one, and presents uneven struggles. It requires an unprecedented concentration of hegemony and sacrifice.

others within the party.[138]

Personality clashes and other overlapping issues within the MDC's management committee also came into play. Contradictions between parliamentarians versus non-parliamentarians, academics versus trade unionists, liberals versus leftists, and ethnic issues (Ndebele versus Shona) started to show.[139] Differences between Tsvangirai and Welshman Ncube defined most of these fault lines, and thus converged to sharpen the conflicts that ensued. Ncube was an academic; Tsvangirai was a trade unionist. Ncube is Ndebele; Tsvangirai is Shona. Ncube was in Parliament; Tsvangirai was not. And as Coltart says, there were people within the party who were "very ambitious and constantly whispering in Tsvangirai's ear, widening the divide between him and Ncube". The above constituted obvious cleavages for any strategist wanting to destabilise the MDC to exploit – and there were many strategists within the party-state who exploited these cleavages (Interviewee 6).

The senatorial elections held on the 26th of November 2005, which some identified as the cause of the split (e.g. BBC 2005), and thus gave rise to "pro-senate" and "anti-senate" tags to refer to the Ncube and Tsvangirai factions, were simply an igniting rod in an already charged environment (Raftopoulos 2006a:20-23). The 2005 MDC split was followed by other smaller splits, including a sizeable one in 2014. This came not long after the 2013 harmonised elections, when some senior members of the party, including the secretary-general and the deputy treasurer general, broke away under the impression of renewing the party. This renewal team split again a few months down the line when Tendai Biti, the former MDC-T Secretary-General formed his People's Democratic Party (PDP), while Elton Mangoma, the former deputy treasurer general went on to form his Renewal Democrats of Zimbabwe (RDZ). To cap it all, this rupture in the opposition culminated in 18 former MDC-T Members of Parliament fired from the national assembly at the instigation of the MDC-T. Thereafter, the party-state organised by-elections, which were all subsequently won by ZANU-PF (ZimEye 2015; Chipika and Malaba 2017:244). These splits affected civil society, as will be discussed below.

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[138] The President of the MDC, Morgan Tsvangirai, its Secretary General, Welshman Ncube and the party's shadow minister of agriculture, Renson Gasela were charged with treason in 2002 for purportedly plotting with an Israeli spy to assassinate President Robert Mugabe. They were later acquitted of the charges. For more see Hudleston (2005:113); The Guardian (UK) (2002); Mail and Guardian (2003); The Guardian (UK) (2004);
[139] Tsvangirai (2011:295) also alludes to the existence of these fault lines.

Splits in the counter-hegemonic civil society

As earlier alluded, the MDC 2005 split detailed above did not replicate itself within civil society. Several organisations such as the CZC, ZCTU, ZINASU and the NCA, made formal resolutions to stick with the Tsvangirai-led faction, and did so firmly (Interviewees 1; 4; 12; 19 & 23). However broadly, the entire counter-hegemonic movement, including the MDCs, continued to work together. The 2007 "Save Zimbabwe Campaign", in which opposition leaders from different parties were battered and detained by the police while together, is an example of such unity.[140] The post 2008 election period shook the entire counter-hegemonic cluster and led to several splits within civic organisations. The decision to participate in the GNU was not a popular one. Some organisations such as the NCA, the ZCTU and ZINASU thought participating in the unity government was tantamount to selling out considering that the MDC-T had actually won the elections, but was going to occupy a junior position in the GNU. A former ZINASU-NCA executive member phrased it thus:

> In fact we were against the idea of the MDC participating in the inclusive government. We had indicated that Tsvangirai must not be part of it, and that the MDC should not participate in the constitution making process because it deviated from the founding principles of the MDC… But the MDC went into government, they made their compromises … and ended up participating in the GNU process, which literally led to the split of ZINASU at some point (Interviewee 4).

ZINASU, NCA and ZCTU went on to form a loose coalition which was called the "Take Charge Campaign", to resist the participation of opposition forces in the GNU's constitutional making process. The "Take Charge Campaign" versus the "Participate Campaign" discourses fractured the cooperative and complementary relations that had existed since 1999 between these organisations and the MDC-T, and signalled the fractionalisation of the counter-hegemonic group (Interviewee 16). Thus, for the entire GNU period, these organisations, especially the NCA, could not work with the MDC-T as before. This was emphasised by the NCA chairman Lovemore Madhuku in 2012 when he declared, "With the MDC we no longer have a relationship, at all. This must be stressed" (*Daily News*, 2012). It was no surprise therefore, when the NCA changed to become a political party in 2014. On the other hand, the CZC actively took part in the COPAC processes, and other state programmes. Substantial funding poured into the country from donors to support the GNU process (see figures for 2010-

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[140] See Chapter Four, and Magure (2009:248) for more on the Save Zimbabwe Campaign. See **Figure 5** for a picture of several opposition leaders being released from detention.

13 in **Figure 6** above), and organisations such as CZC that actively participated in the COPAC process were accused by those in the "Take Charge Campaign" for chasing money, and therefore lacking principles. New organisations such as IDAZIM also burst into the scene and worked very closely with, and provided support to the MDC.

Besides the fractionalisation of the counter-hegemonic bloc, member organisations of the bloc also experienced some level of internal turmoil, which, in some instances, led to those organisations splitting into two or more factions. For example, between 2009 and 2012, ZINASU had two parallel structures aligned to either the MDC-T or the NCA. As was discussed in the preceding section, the souring of relations between the MDC and the NCA filtered to affect ZINASU because both seemed to have a hold on the student movement.[141] In 2011, ZCTU experienced its own internal struggles that started just before its elective congress in that year. The turmoil was around the leadership question and interference by MDC-T. After losing out on elections, some executive members of the federation such as Raymond Majongwe and Lovemore Matombo went on to form their own federations, which they named the Congress of Zimbabwe Trade Unions, and Trade Union Congress of Zimbabwe respectively (NewZimbabwe.com 2016; Zimbabwe Today 2017; Chiroro 2013:126).[142]

In 2014, the CZC also experienced its own internal ructions, almost leading to its implosion. Some of its member organisations pulled out, whittling down the coalition that had once boasted of more than 300 members to less than 90 organisations. After being asked if his organisation had ever split, a former leader of the organisation explained:

> We came very close to that happening during the course of last year [2014] but I am glad that we were eventually able to keep the house intact. We fought very public battles, some of them tainted with lies and accusations, but at the end of the day I think the institution prevailed and people were able to find some common ground. The institution is now intact but almost did split. For a long time I think the board was split and you would have had one side of the board articulating its own agenda while the other side was countering this agenda, and also of other things happening but it has since been sufficiently vanquished (Interviewee 19).

Their disputes were linked to internal leadership problems, but also to the 2014 ructions in the MDC-T, which led to the party's split discussed earlier. According to

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[141] Their differences were related to the participation of the MDC in the GNU. The MDC sponsored a section of ZINASU to support its position, while the NCA wanted to retain student support for their "Take Charge Campaign".

[142] Raymond Majongwe was the Secretary General of the Progressive Teachers' Union of Zimbabwe (PTUZ), a union which was a member of ZCTU until 2011, and Lovemore Matombo was the ZCTU President until 2011.

some of its members, challenges that were faced by CZC were actually caused by MDC-T factions trying to outdo each other. Part of the reason why many organisations pulled out of the coalition is that they realised they were partaking in struggles that did not concern them (Interviewees 27 & 34). USAID had to send auditors from the United States because there had been allegations that donor funds were being abused by some people within the CZC (NewZimbabwe.com 2014, 2015).

Disputes in the pro-hegemonic bloc.

By 2014, the seemingly united front in the pro-hegemonic groups, which had persevered for over a decade, started showing signs of disintegration.[143] The disintegration was also linked to the succession politics within ZANU-PF. In early 2014, accusations started flying around that Joyce Mujuru, the Vice-President of both the party and the country, was plotting to kill Mugabe, or challenge him for the presidency in the party's next elective conference. Mujuru refuted these allegations. However, Mugabe went on to fire her at the December congress, along with seven cabinet ministers who were accused of plotting with her (*Mail and Guardian* 2014; VOA 2014; Matega and Manayiti 2015; *The Citizen* 2016). Several members of the ZNLWVA were also fired alongside Mujuru. Notable was the association's chairman for over a decade, Jabulani Sibanda, who was also pushed out of his ZNLWVA position. Mujuru and several of those fired in 2014, including war veterans, went on to form their own party, named the Zimbabwe People First (ZPF), which also went on to split several times thereafter (Mawawa 2016; Mushava 2017; Tafirenyika 2017).

The ZANU-PF linked ZFTU also experienced its own share of turmoil. In 2012, the federation had about three different factions that were subsequently united (*The Herald* 2012), only to split again in 2014 (Interviewee 26). One of its founding leaders and the federation's 2008 vice president, Joseph Chinotimba, who was also elected ZANU-PF MP in the 2013 elections, convened a congress in November 2014, where he engineered his re-election as the federation's second vice-president. The executive

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[143] The unity was not really absolute because occasionally organisations such as the ZNLWVA would experience low level ructions as the one in 2010 when the association had three identifiable factions – one led by the chairman Jabulani Sibanda, another by the then deputy chairman Joseph Chinotimba and the third led by a Retired Colonel Basten Beta. However, in the same year Sibanda was reelected and the minor splits were negated, but served as foundation for the future sacking of Sibanda in 2014 (Guma 2010).

serving at the time disputed his election as improper because his new position as MP disqualified him from being considered a worker (Katongomara 2014). The federation's deputy secretary-general described these splits as a process of refinement and purification. The splits, he argued, came about because the federation had begun to force issues back to pure trade unionism, which was not palatable to some members (Interviewee 26). The argument was that many ZFTU members had joined the federation at the time when clashes between ZANU-PF and MDC were at their highest, insinuating that some might have joined for purposes of advancing political agendas.

Fractionalisation in a polarised polity: Its value proposition

In essence, the phenomenon or prevalence of fractionalisation described above exposes the opposition's inability to deal with electoral defeat. Most of the splits came soon after national elections. It might also have meant that most of the leaders in these formations were impatient to get state power. They clearly had not heeded Gramsci's caution that a war of position, similar to one they had adopted from 1999, is always long and enduring. Thus, the reasoning about organisational purification advanced by ZFTU deputy secretary-general is incisive and can also be used to understand the ructions that have bedeviled the counter-hegemonic group.

The expulsion of Member of Parliament Munyaradzi Gwisai (leader of International Socialist Organisation, Zimbabwe) from the MDC in 2002 (Guma 2005),[144] the 2005 major MDC split discussed earlier, the 2009 break-away of another MDC founding member Job Sikhala to form his own party (MDC-99 [Guma 2012]), and the creation of the MDC Renewal platform in 2014 are cases in point. The gravitation of the NCA, ZCTU and ZINASU away from the MDC during the GNU are other examples. One can deduce that the institutional durability of the MDC was shaky due to the feeble alliances and coalitions that lacked ideological coherence from the start (Tsvangirai 2011:295). What all the splits sought to do, albeit differentially, was to reconfigure the organisational identities in line with what respective leaders perceived as the ideal. In

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[144] Munyaradzi Gwisai was the leader of the International Socialist Organisation (ISO), Zimbabwe Chapter, and had joined the MDC on that ticket. However, it soon became clear that his ideological orientation could not jell with that of the MDC, which was lying somewhere between social and liberal democracy.

other words, these struggles might have been struggles for political power, but they were also processes that sought to define the ideological orientation of each part of the split. Whether any of these struggles made any headway in that direction is doubtful because these organisations began to chip away in pursuit of ethnicity, elitism, careerism and personal power.

Moving beyond 2014, divisions within the ZNLWVA, ZFTU and ZICOSU have continued to play themselves out. There is little doubt that such ructions are linked to the succession discourse within ZANU-PF. However, that period is beyond the scope of this study, and therefore will be left for future studies. Nonetheless, the evidence presented above shows that the fracturing of civil society organisations is linked to political parties' divisions. Some activists in the counter-hegemonic bloc tended to blame the fractionalisation in their organisations on the Central Intelligence Organisation (CIO), alleging that operatives infiltrated civil society to instigate turmoil. Such allegations are difficult to prove because of the secretive nature of how secret party-state agents carry out their assignments, but remains a possibility.

Should the fractionalisation of organisations in a politically polarised environment such as in Zimbabwe always be viewed as retrogressive? If the argument advanced by the ZFTU deputy secretary-general that the splits were a process of defining an organisation's autonomy and independence is accepted in principle, then the fractionalisation discussed above may also bring some positives, in principle. There is no doubt that once formed, and with time, every organisation learns to assume new norms, new characteristics, new visions, new dimensions, and new relationships as new leaders come and go. In Zimbabwe, as political parties fractionalised, some civil society organisations realised the importance of positional autonomy, and thus sought to revert to their guiding principles. An example is when individual organisations within the CZC decided to peel off from the coalition because they had "awakened" to the MDC's dominance of the coalition. The phenomenon of fractionalisation is not only peculiar to Zimbabwe. It takes place everywhere in Africa generally, and it is linked to the precariousness of permanency within relations of production and political power (Interviewee 28). It is also shaped by the nature of politics where the battle for state power is a zero-sum game – where the winner takes all. In a country such as Zimbabwe, the politics is fluid, class positions are fragile, and thus it is very difficult to predict the trajectory of progression over long periods. This lack of predictability and the resultant insecurity translates into serious competition for state power since it is

the only realistic source of neo-patrimonialism and patronage. The realm of civil society and intellectuals becomes the arena where such contestations for a counter-hegemony take place as theorised by Gramsci, and as argued below.

Civil society and intellectuals.

Intellectual work is quintessentially the labour of the mind and soul, and intellectuals have played a major role in shaping ideologies and societal visions (Mkandawire 2005:1). As Chapter Two has shown, this study adopts Gramsci's broad conceptualisation of intellectuals, in particular, the socially embedded organic intellectuals. The study views organic intellectuals as the "thinking and organising element" within a social group. Organic intellectuals are distinguished less by their professional occupation, "which may be any job characteristic of their social class, than by their function in directing" and crystallising the "ideas of the class to which they belong organically" (Gramsci 1971:1). In civil society (and political society), organic intellectuals may engage at different levels – such as in the production of ideas, organising members of a group, and development of the group's consciousness, as long as that specific activity is weighted towards intellectual elaboration than muscular-nervous effort (Gramsci 1971:9). Organic intellectuals "provide meanings to situations, guidelines for escaping" from oppressive environments, and "visions of alternative social conditions shown to be necessary, possible and potentially realisable" (Suttner 2005:118).

As was noted in the earlier chapters, social organisation in Zimbabwe is not informed by pure class dynamics, and consequently there are no discernible class-based organisations where a rigid understanding of organic intellectuals can be applied. However, by invoking Randeria's (2000) notion of entangled histories of uneven modernities (which argues that as concepts travel through time and space, they expand their original understanding as they get into contact with different cultures), this study is able to stretch, within reason, the Gramscian notion of organic intellectuals to accommodate the absence of fundamental social classes in Zimbabwe. However, Gramsci's (1996:203) conceptualisation of organic intellectuals' role as that of educating and leading social groups remains central.

It is also important to understand the positioning of organic intellectuals not only in

terms of their given social status, but also their relationship to power, both within and outside the state (Mittelman 2014:156). Thus, in order for dominated social groups to negate their domination, they should develop and elaborate amongst themselves organic intellectuals to build and strengthen a counter-hegemonic process. It is within this context that, despite their weak connections with peasants, the rural and urban poor, organisations such as the NCA, the CZC, ZimRights, ZINASU, ZCTU, ZLP and many others, stepped up to the challenge of confronting the *status quo* in Zimbabwe. However, the polarised nature of Zimbabwean politics also filtered into the realm of intellectuals and forced some to gravitate towards either the nationalist-redistributionist discourse or the liberal democracy discourse. This resulted in the peripheralisation of other possible alternatives as the faulty redistributionist process and the vapid ideology of liberal democracy took centre stage in civil society.

When the MDC was formed in 1999, it drew its membership from many organisations. In turn, when the ruling party felt threatened by the emergent opposition, it created platforms such as the Constitutional Commission, the Fast Track Land Reform Programme (FTLRP)[145] and other internal party systems to identify its own cluster of organic intellectuals not only to defend its position, but to elaborate the inchoate "ideological path" the party-state had conveniently adopted. It was emphasised by some interviewees that intellectuals are a broad group and reducing them to a polarisation dialectic narrows their role. However, intellectuals cannot firewall themselves against that which is happening in broader society. Thus, when many organisations and intellectuals began to align themselves with the MDC, the party-state also felt obliged to deploy and articulate at the same level.

Not long after, both sides elaborated their intellectual strata as the Zimbabwe question spread into regional and international fora such as SADC, AU and the UN (Ndlovu-Gatsheni 2013). The question that may be asked is whether this international lobbying benefitted the masses on the ground. A dominant perception from some of the interviewees was that the grassroots were marginalised as conversations in international platforms soon divorced from the local contexts. This showed quickly in advocacy trends. One interviewee even invoked Homi Bhabha's concept of mimicry as he emphasised that most intellectuals in Zimbabwe mimic more than they apply

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[145] For more on the FTLRP see Moyo and Yeros (2011a), Scoones et al (2010), Zamchiya (2011); Moyo, Helliker and Murisa (2008), Moyo (2011a & b), Sachikonye (2003), Mamdani (2008); Government of Zimbabwe (2001); Rutherford (2012; 2017); Hartnack (2015), Shone (2017).

their knowledge contextually to systems as they exist historically, contemporary, and in terms of the country's placement in global history and economy. This partially explains why the counter-hegemonic alliance struggled to connect its agenda with the history of the country for a long time. They were quick to borrow from the international liberal discourse, and mimicked too religiously. The interviewee phrased it as follows:

> Of course you can tell that these guys are doctors, they are teachers, they are lecturers etc. but essentially the application of the knowledge to context is very limited and borrowed. It is all about mimicry, and a surprising quest for recognition internationally before you get it from home. Sometimes they are even more willing to fly to South Africa or Washington than going to the peasants in the villages. That is where they end up bringing knowledge that is not contextual. Some also pander to donor interests despite their intellectualism. What this does is that it shortchanges the democratic movement in its organic form and fashion (Interviewee 37).

It may be helpful to look at intellectualism at two levels. The first level is when intellectual discourses comprise written articles that appear in academic journals and national media, or oral presentations given at strategic meetings and lectures. These fit into high level thinking that has been insinuated earlier in this section. Tendi identifies several intellectuals in Zimbabwe as "public intellectuals", and goes on to identify and tag them as either "nationalist public intellectuals" or "public intellectuals critical of power" (2010:14, 43). Such tagging is possible because of their writings and intellectual orientation. While Tendi's approach of broadly labelling them without confining himself to specific writings or time-frames may be risky,[146] it helps to buttress the polarised nature of the academic sector in Zimbabwe. Of course, such intellectuals played a very critical role in disseminating and articulating ideas. However, it also remains true that the majority of the population who reside in the countryside may not have access to such articles and lectures for various reasons, not least being their abstract nature and logistical issues.

The other level of intellectualism is when leaders interact with the grassroots, identify with their cause and communicate at their level, without necessarily being too technical as to pitch the discourse at an abstract level. Identifying with the grassroots, or peasants, means being part of them, organising them, sometimes eating what they eat, and leading them, approximating the Russian *Narodniks* of the 1860s.[147] Both

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[146] Jonathan Moyo can be used to clarify this argument. In the early 1990s, Moyo was a fervent critic of the ruling party, and wrote widely to buttress that position. By the close of the same decade, he had somersaulted and was the greatest defender of ZANU-PF. Thus, if his life story is not told in epochs, his intellectual positioning will be distorted.

[147] The *Narodniks* (from the word *narodniki*, meaning "going to the people") was a Russian group formed in the 1860s to organise peasants with the aim of overthrowing the monarch and the Kulaks (MIA Encyclopaedia of Marxism N.D).

these two levels of intellectualism were discernible in Zimbabwe, and both impacted on democracy differentially. The ZNLWVA organised peasants in villages where they lived, sometimes violently, and used ZANU-PF branches to accomplish their goals. The NCA opened provincial and district offices in order to be closer to people during the period when donor funds were accessible, but this was not for a sustained period. ZCTU regional and district structures were used to launch the MDC at a local level. But ZCTU only organised people that were employed and were its members. By looking at these engagements critically, it is easy to establish why, for example, the ZNLWVA would have been able to reach much more people, especially peasants that the NCA, CZC or ZCTU could not reach.

Another observation to be made is that in Zimbabwe, human rights civil society seems to be a closed space monopolised by the same group of individuals. Clearly discernible from the interviews that were conducted is that most of the interviewees were involved with two or more organisations either simultaneously, or at different times. During the time of fieldwork, for example, the board member and spokesperson of CZC was also the Executive Director of the Combined Harare Residents Association (CHRA). The regional chairperson of ZCTU in the Southern region was also the chairperson of the Bulawayo Combined Residents Association (BUPRA). Admittedly, this is the nature of coalitional associations, but a sector that is dominated by similar individuals is unlikely to bring new ideas or to grow beyond a certain point. The ego-centric nature of human beings prevents them from executing two or more mutually contradictory decisions at the same time period. Thus, in a situation where one holds two decision making positions in different organisations simultaneously, progressive decision making can only be to the extent of complementarity, never of contradiction.

Between 1999 and 2008, ZINASU was the main organisation that churned out leaders to other counter-hegemonic organisations. It was also common to find someone moving from the NCA to CZC, or from the NCA to take up a leadership role in the MDC, or to be involved with all at the same time. This straddling was only common within the counter-hegemonic alliance, except for a few instances in the pro-hegemonic group such as when Jabulani Sibanda was the chairperson of both the ZNLWVA and Bulawayo Provincial ZANU-PF structure.

As time went by, the capacity of counter-hegemonic civil society was negatively affected by a massive outward migration of many capable civil society leaders to the

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diaspora. The squeezing economic environment, shrinking political space, as well as the relatively attractive diaspora acted as push and pull factors that resulted in some of the clear minded, skilled potential leaders leaving the country. Together with huge numbers of ordinary people, the migration of organic intellectuals created a vacuum that has a bearing on democracy. Discourses of democratisation are essentially talks about exerting pressure on the system so that it can open up. Outward migration meant that potential sources and agents of that pressure were not on the ground anymore. While the party-state may have lost out in the greater scheme of things, in the short term it has benefited, and hence has continued to encourage, subtly, that people remain in the diaspora.[148] Overall, the fatigue that set in within civil society linked intellectuals weakened the civil society sector and its quest to develop a counter-hegemony.

Conclusion

The way most counter-hegemonic civil society organisations operated since the formation of the MDC was on the premise that the state was illegitimate; hence no need to engage it. In its responses, the state also did not want to engage such organisations because of that illegitimacy tag. Thus, as Najam (2000) asserts, a confrontational engagement came to define state – civil society relations. However, this relational outcome was a reciprocated one, not necessarily shaped by the state with civil society a helpless participant. This chapter has used empirical data to interrogate civil society – state relations in the country. What is clear is that the phenomenon of polarisation was dominant in defining the country's politics up to 2008. However, the institutionalisation of the GNU in 2009 brought with it another form of politics – a movement towards fractionalisation. Thus, when political parties started fracturing, so did civil society organisations, especially those in the counter-hegemonic bloc, although similar trends also began to manifest themselves within the pro-hegemonic bloc post the 2013 elections when ZANU-PF's succession politics took hold. The fractionalisation of the counter-hegemonic bloc has led to the faltering of a

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[148] Some of the benefits to the state include the remittances that continue to play the social welfare function, thereby camouflaging the state's inadequacy. The absence of some people has reduced political pressure on the state.

potential alternative hegemony, but it may also portend pluralisation of the civil society sector, which may enable more platforms of participation. Importantly, faltering of the counter-hegemonic alliance does not mean new alternatives to the ruling hegemony cannot be found. It simply means the cessation of a narrative that presents one alternative as the only alternative. All this has a bearing on democratisation. This, together with conclusions of the study will be presented in the next chapter.

Introduction

The aim of this study was to utilise Gramsci's interrelated concepts of civil society, hegemony, counter-hegemony and organic intellectuals to interrogate how relations between the Zimbabwean party-state and civil society have contributed to the phenomenon of polarisation and fractionalisation of the civil society arena, and in turn, how this has impacted on the quest for democratisation. Najam's (2000) four Cs model of state – civil society relations was to be used to delineate these relations. This aim was accomplished by pursuing the following objectives:

   a. Interrogation of relations between civil society and the party-state using the four Cs model. This objective was fulfilled by answering the following questions:
      i. How do pro-hegemonic and counter-hegemonic civil society actors relate, and how do both relate to the party-state?
      ii. What ideologies, if any, inform these two blocs of civil society?
      iii. What relations have developed between political parties and civil society?
      iv. How have these engagements, together with material support from donors, contributed to and nourished the phenomenon of polarisation?
   b. To analyse the role of "organic intellectuals" in the polarisation of Zimbabwean civil society.
   c. To interrogate the phenomenon of civil society fractionalisation.
   d. To examine how all these issues have contributed to the current state of democracy in Zimbabwe.

Civil society, hegemony and organic intellectuals

In order to give foundation to the findings and conclusions of this study, it is important to provide a short summary of the key concepts – civil society, hegemony (counter-hegemony) and organic intellectuals. This study views civil society as the sphere that

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stands between the state, the market and family, where a plurality of social associations, with various modes of organisation and capacity are formed in pursuit of a variety of contradictory and complementary ideas. It should be viewed not as a homogeneous and monolithic arena, but as differentiated and with many centres of power. It is characterised by many societal cleavages such as race, gender, ethnicity, and class. A formulation of this kind, which sees civil society as an arena open to various actors, but operating with some relative degree of independence and autonomy from the state, is helpful when one analyses specific organisations that are players in this arena (see Chapter Two). It rejects the preconceived idealisation of civil society as always *anti*-state or *anti*-market, but accepts a nuanced characterisation that views them as *non*-state and *non*-market. This characterisation is within the Gramscian understanding, which views civil society as an arena where all the dynamics of identity formation, ideological struggles and hegemonic construction and contestations take place (Augelli and Murphy 1993:129).

Hegemony is a process whereby dominant groups exercise influence on subordinate groups through leadership that combines both force and consent, where these two "balance each other reciprocally", however, "without force predominating excessively over consent" (Gramsci 1971:80). Within this conceptualisation, hegemony extends the influence and domination of the dominant classes from the economic structure to the political and the ideological spheres (Masunungure 2008:53). Gramsci's usage of the concept distinguishes between political society and civil society superstructures (making up the integral state) in that ideological hegemony is mainly, but not exclusively located within the realm of the civil society superstructure (Femia 1987:25). Thus, the ideological contestations taking place in civil society are in pursuit of hegemony, or alternative hegemonies. In order for subordinate groups in any society to create an opportunity to negate their domination, they must develop amongst themselves organic intellectuals who in turn should develop and elaborate counter-hegemonic processes.

For intellectuals, Gramsci (1996:199) distinguishes two groups – traditional intellectuals and organic intellectuals.[149] Every fundamental social group develops within itself an intellectual strata that engages in various intellectual activities, including

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[149] Traditional intellectuals are professional intellectuals in literary arts, religion, history, philosophy, science etc.

organising the group, developing consciousness of group interests and to preserve its homogeneity. This is what Gramsci calls the organic intellectuals. They are distinguished less by their professional occupation than by their function in directing and crystallising ideas of the social group to which they organically belong (Gramsci 1971:1). Organic intellectuals endeavour to obtain for their groups the most favourable conditions, and they do this by elaborating on ideas and interests of their group members. It is through this assumption of conscious intellectual responsibility that dominated groups can escape from their subordination, and advance towards developing their own hegemony (Gramsci 1999:131). In a polarised polity such as in Zimbabwe, organic intellectuals would be located on both sides of the polarisation dialectic – divided by it, but also buttressing the same polarisation. Thus, to concretise Gramsci's concepts: in a struggle where a war of position has been adopted as a form of struggle, organic intellectuals organise social groups within the realm of civil society (and political society).[150] They diversify, calibrate and amplify the social group's voices, leading to either the protection of an existing hegemony, the construction of an alternative (counter-hegemony), or settle on a compromise of the two versions.

Research Findings.

Historicism and its burden: The genesis of polarisation

Chapters 4 and 5 provided a discussion of the historical development not only of civil society, but also the political environment that nurtured this civil society. This study agrees with Moyo (1993) and Masunungure (2008:58-9) that both the pre-independence and post-independence governments stifled the growth of civil society. The historical tour exposed the pre and post-independence conditions that suppressed the organic development of civil society. However, the study also appreciates Randeria's (2002) notion of "entangled histories of uneven modernities", which cautions us against assuming a predetermined development trajectory that an "ideal" civil society should have taken, and excessively valorising the value of what an unfettered civil society would have been like.

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[150] Gramsci's idea of a war of position, contrasted with that of manoeuvre, takes long to accomplish its objectives, and therefore those who engage in it should be prepared to stay in it for as long as it takes to realise their goal, See Chapter 2 for more on these two, including how they are defined.

The thesis also established that polarisation in Zimbabwe is not a new phenomenon, but has been present since the period of the liberation struggle. Based on discussions in preceding chapters, it seems Ncube's view (2010:234) that polarisation in Zimbabwe pitted nationalism against democracy is inadequate both in substance and in genealogy. Its inadequacy becomes even more apparent when the notion of democracy is used broadly and not given specific content. Nationalists are also capable of governing democratically, as they claim in the Zimbabwean case. Genealogically, this study picked the emergence of polarisation from July 1963, when some nationalists broke away from ZAPU to form ZANU. The phenomenon persisted up to the period of independence and beyond. Whereas from 1963 to 1987 it was nourished more by ethnicity and leadership contests than democracy (Alexander, McGregor and Ranger 2000:201), once the Unity Agreement that brought ZANU-PF and PF-ZAPU together was signed in 1987, the notion of democracy henceforth became the driver of the polarisation phenomenon.

Thus, when the ZCTU and ZINASU faced-off against the party-state from 1989, the basis of that confrontation was more about pluralisation of the polity, anti-one-party-statism, accountability and corruption. The students' and ZCTU leadership at that time were influenced by Marxist-Leninist thinking, and would have been aware that the ruling party was drifting away from socialist tenets it had sworn to at independence (Mutambara 2017:24). However, as time went-by, the civil society sector also became attracted to tenets of liberal democracy. This became even more pronounced in the late 1990s when the NCA, MDC, the CZC and other human rights oriented organisations emerged. In response, the party-state also promoted its own organisations to counter what the above listed organisations stood for, in essence submitting to polarisation politics. Polarisation became used as a strategy aimed at either buttressing hegemony by the ruling party and those civil society organisations that supported the party-state, or developing a counter-hegemony by organisations aligned to opposition forces (Chan and Gallagher 2017:135).

This position does not suggest that Zimbabwe's politics is extra-ordinarily bifurcated. Instead, it argues that civic actors acknowledge the existence of many positions and facets of the country's politics. However, these actors make analytical choices that marginalise other important discourses in favour of some. Of course one can argue that this is standard practice to ensure expositional and analytical clarity, and to avoid simply being overwhelmed by a dense complex of issues. However in the

Zimbabwean case, the degree of separation between issues of concern makes it difficult to address the questions that are substantially interconnected (Harrison 2017:875). A succinct example may be in order here. The MDC's founding documents flagged the unresolved issue of access to land as untenable and unsustainable, therefore needing urgent attention (ZCTU 2000:129, 189; interviewees 17 & 38). However, up to 2014, the party's programmes and campaigns never reflected the urgency of the land question as much as they did with other issues, such as governance, human rights and constitutionalism (which were, of course, also very important). On the other hand, ZANU-PF never missed an opportunity to emphasise the ideological, historical and mythological linkages between democracy and the liberation war, but the party's disrespect for human rights and rule of law negated its claim to be democratic. Thus, the neglect of important questions by either alliance (redistribution by the counter-hegemonic alliance and human rights and rule of law by the hegemonic alliance) can be attributed to the fact that such discourses defined the "ideological" and political position of the other alliance.

Relationships: Civil Society and the Party-State.

Between the formation of the MDC in 1999 and the constitution of the GNU in 2009, the polarisation phenomenon continued to be driven by the democracy discourse that both sides claimed to stand for, albeit expressed in different nomenclature and projects (Ndlovu-Gatsheni 2013:149). The opposition party (MDC) and the counter-hegemonic civil society in the late 1990's started off on a social democratic path. There was palpable influence of Marxism brought by former student leaders (e.g. Munyaradzi Gwisai, Tendai Biti and Brian Kagoro) and the ZCTU. However, around 2002, the alliance led by the MDC began to emphasise extensively liberal ideas, characterised by catchphrases such as property rights, good governance, global standards and political freedoms. The ruling party and its pro-hegemonic bloc also placed a lot of emphasis on phrases such as land is the economy and the economy is land (Moore 2003:36), sovereignty, anti-imperialism and redistribution of economic assets. Most of these approximated what Ndlovu-Gatsheni (2015:16) characterises as a degenerated nationalism, where most beneficiaries of these opportunistic redistributionist policies were those linked one way or the other to the party-state. This was not surprising

because ZANU-PF introduced these policies during a period of intense political contestation. Thus, despite the opportunity presented by the epoch to correct the maladies of polarisation, both sides stayed clear from fully advocating and implementing what was identified in Chapter 2 as "thick" or "popular" democracy, where modes of participation get expanded to include all social groups in the country, regardless of political affiliation.

One cannot deny that a large part of ZANU-PF's ability to maintain its power since the late 1990s is due to electoral manipulation and coercion widely spread. The seemingly undemocratic ruling party remained in power not because it offered the best form of governance (because it did not). Nor was its version of democracy better articulated (it was not). However, a very large part of the explanation for ZANU-PF's maintenance of hegemony was because the opposition and counter-hegemonic civil society also depended too heavily on a "thin" version of democracy that did not resonate with peasants and other dominated groups. Many rural peasants continued to vote for ZANU-PF, especially in the Mashonaland regions of Zimbabwe. The Afrobarometer (2017:65) survey conducted in early 2017 captured in **Table 3** below, show not only that opposition has not been able to sufficiently penetrate rural areas, but also that its urban support is shrinking. This is consistent with the national 2013 election results.

Table 3: Party preferences (Figures in percentages)

Question: "If presidential elections were held tomorrow, which party's candidate would you vote for?"

		Urban	Rural	Male	Fem	Total
MDC-T		19	14	19	12	16
ZANU-PF		24	47	39	38	38
MDC-N		1	1	1	1	1
Mavambo. Kusile. Dawn (MKD)		1	0	0	0	0
ZAPU (Dabengwa)		1	0	1	0	0
MDC Renewal Team/People's Democratic Party		0	0		0	0
Zimbabwe People First (Joyce Mujuru)		4	3	3	4	4
Other		1	0	1		0
Would not vote		14	9	9	12	11
Refused to answer		31	21	22	27	24
Don't Know		6	4	4	5	5

By looking at the 1983-7 *Gukurahundi* violence in Matabeleland (see CCJP 1997), the violent farm occupations of the early 2000s (see Sachikonye 2011a; 2012;

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Rutherford 2017), the 2005 Operation *Murambatsvina* (see Vambe 2008; Tibaijuka 2005), and Operation *Mavhoterapapi* in 2008 (see Masunungure 2009), this study concludes that these coercive moments forced the consensual side of Gramsci's hegemonic equation to recede to its barest minimum (Moore 2016:31), while its coercive side increased substantially. Combined with this coercive element were other fruits of incumbency. This view is eloquently developed by Matyszak (2017:4,18) who argues that the 2013 electoral victory by ZANU-PF was not so much a result of an enlarged electoral base, but mainly because of other less emphasised malfeasances derived from the practice of party-statism (see Chapter 2). These included ZANU-PF's ability to control all state institutions that were role players in elections – the voter registration process, police, army, electoral commission, and a large portion of the media. Such control allowed state resources to be deployed for party political purposes, helping ZANU-PF to assert its electoral dominance – and the new constitution could not do anything about it in 2013. Due to this unethical use of state resources that gave the ruling party an unfair advantage, many people voted for the ruling party in the 2013 elections. Thus, despite the coercive acts enunciated above, the ruling party was still able to balance force and consensual leadership to regain a substantial degree of hegemony. This support for the ruling party is confirmed by the Afrobarometer's (2017:14) survey captured in **Table 4** below.

Table 4: Freeness and fairness of elections (Figures in percentages)

Question: "On the whole, how would you rate the freeness and fairness of the last national election in 2013?"

	Urban	Rural	Male	Female	Total
Not free and fair	29	19	23	23	23
Free and fair, with major problems	13	16	16	14	15
Free and fair, but with minor problems	15	20	18	18	18
Completely free and fair	24	34	31	30	30
Do not understand the question	1	0	1	0	0
Don't know	16	9	10	13	11
Refused	2	1	1	2	2

In November 2017, at the time of concluding this write-up, tumultuous political events took place in Zimbabwe. These events led to the downfall of President Robert Mugabe, and was replaced by his longtime aide and Vice-President Emmerson Mnangagwa. It was fractures within the ruling alliance (ZANU-PF factions, ZLWVA,

the army), not the polarisation strategy, which achieved this change in leadership of the country. This must be emphasised because it has been the argument of this thesis that for change to take place, polarisation must be weakened. Fracturing within parties that are in the polarisation dialectic is part of that negation. Given that it was forces within ZANU-PF, and not the opposition that finally brought Mugabe down, the ruling party might be in the process of renewing itself, and this will help it to regain more moral and intellectual leadership. If President Mnangagwa's inauguration speech is followed through, several ideological propositions that previously defined the opposition alliance will become a big part of ZANU-PF's new ideological path (*Chronicle 2017*).[151] This will also dilute polarisation within the ideological terrain.

In order to make sense of the relationships between the state and civil society, Chapter 3 discussed several models that explain these relationships. But it was Najam's (2000) Four Cs model that was preferred as detailed enough to be useful in the analysis of the Zimbabwean case. Based on discussions in Chapter 4 – 7, only two of Najam's four C's (cooperation and confrontation) were dominant in Zimbabwe between 1988 and 2009 for the eight organisations that were investigated. Of course there were few but not insignificant instances of *cooptation* (similar means, dissimilar goals) such as when the party-state paid gratuities to war veterans and consequently won over the support of the ZNLWVA. Such acts were part of hegemonic preservation. Where the use of force is too risky, the ruling elite resorts to buying antagonists either covertly or openly, the import of which will be to sow disarray and confusion within the ranks of a counter-hegemony (Gramsci 1999:248). However, it was *cooperation* (similar means and ends) and *confrontation* (dissimilar means and ends) that defined civil society – state engagements up to the formation of the GNU in 2009. The pro-hegemonic bloc cooperated with the party-state, mostly injudiciously, in all its and the state's programmes. On the other hand, the counter-hegemonic civil society and the state had an almost enduring confrontation from 1988, which intensified in the late 1990s when more counter-hegemonic civic groups emerged. It became almost predictable that the NCA, CZC, ZINASU and their various institutional members would

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[151] Some of the key ideas in the speech are that the country needs to break with the past and do away with rancorous and polarising policies, to compensate farmers whose farms were dispossessed. The country will also start to attract foreign direct investment, incorporate elements of market economy, and the protection of investment. The country will also start to reduce country risk factors that make the country unattractive to investors. Reengagement with the international community and fighting corruption will also be prioritised.

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embark on marches and demonstrations as soon as they were irritated by any government policy. Equally, the party-state, through the police, state media, war veterans, and party youths, responded to such marches with violent means and arrests.

Because of this confrontational relationship with the party-state, the counter-hegemonic civil society developed a close and sometimes imprudent relationship with opposition parties. Some of these organisations actually gave birth to the main opposition party, and jealously guarded it against real and imagined predations of the party-state (Masunungure 2008:61). Thus, civil society got entangled in the gross politics of state power, in the process losing its autonomous identity.

Organisations in the pro-hegemonic bloc and those in the counter-hegemonic group never cooperated. Their programming was mostly aligned to political parties they related with, and never allowed any cross boundary engagements in a civil way. What explains this dynamic is the coalitional nature of organising in a polarised environment, where friends, programmes and engagements are predetermined, as was discussed in Chapter 7. This structural set-up had negative implications for democracy. For one, civil society became too embedded in political parties (and party-state) to serve as a proper site for critical ideological contestations. Civil society organisations tended to gravitate more towards political party positionality rather than representing the differentiated interests of their members. Thus even though the sites for participation may have increased due to the formation of more organisations around late 1990s and early 2000s, the content of that participation narrowed down to either "you are for the ruling party" or "you are for the opposition". This closed off avenues of other possible alternatives.

Helliker (2012a and 2012b) argues that civil society may not exist in Zimbabwe, Masunungure (2008:61) accepts that civil society does exist in Zimbabwe, but sees it as that sector which is "against the state", or "always anti-state". The position of this study is contra to both these viewpoints. As argued by Randeria (2002:11) and Gramsci (1971:182), it is improper to abstract social concepts crudely from their theoretical origins and hope to utilise them dogmatically in a different cultural setting. Thus, to argue that civil society does not exist in Zimbabwe is to idealise world history as only that which emanates from the West, and portraying it as universal (Randeria 2002:10). Masunungure's view that civil society is always anti-state is inadequate in the sense that it restricts understanding of civil society to the counter-hegemonic

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groups, and totally ignores the pro-hegemonic groups such as the ZNLWVA, as well as many other organisations that have stayed behind the radar. Civil society exists in Zimbabwe. It is a sphere made up of differentiated organisations, some existing to counter the party-state, others always supportive to it, while the rest are indifferent to the party-state.

Democracy and the role of "organic intellectuals".

In Zimbabwe, intellectuals and activists have determined both the trajectory and the content of democracy struggles. But, as discussed in Chapters 6 and 7, "organic intellectuals" got sucked into the polarisation dialectic, and those whose views did not support either of the two blocs were muted by the hollowing of the middle phenomenon. The debate became an "*either or*" scenario, such that one could clearly identify intellectuals who only wrote colourfully in support of the purportedly redistributionist policies of the party-state, and others who would do the same with the trajectory that the MDC had adopted (Tendi 2010). While those in the NCA such as Lovemore Madhuku (1999) and Brian Kagoro (2004) spoke and wrote eloquently about the need for a "people driven constitution", those in the Constitutional Commission such as Jonathan Moyo (1999) and Ben Hlatshwayo (2011) also wrote passionately in support of the state-led constitutional process. As Brian Raftopoulos (2003; 2006b), John Makumbe (1998a) and many other younger activists wrote about the crisis in Zimbabwe and the vacuity of democracy, intellectuals such as Sam Moyo (2009) and Walter Chambati (2013; 2017) responded by supporting what they claimed were redistributionist policies, and how they operationalised democracy. The tussle for superiority in ideas led some organic intellectuals and activists to borrow too quickly "wisdom" from the international community such as defending property rights in an environment where ownership patterns were skewed in favour of one race, or where "vernacular" land markets and communal modes of tenure still prevailed (Shumba 2018:40; Chimhowu and Woodhouse 2006; 2010).

The period between 2000 and 2014 was characterised by a massive economic squeeze and political fluidity. This precariousness and impermanence forced people to prioritise their most immediate and basic needs, in the process suspending proper ways of doing things as they reoriented themselves to short termism and informality,

leading to what Jones (2010) calls a *kukiya-kiya* economy, where people engage in multiple informal forms of making do. Additionally, many intellectuals who could have provided intellectual capital to the counter-hegemonic project became fatigued and migrated to other countries that offered better security and professional opportunities. The party-state openly and subtly forced some organic intellectuals, and many other ordinary people to leave the country, as well as to remain outside, as this lessened the pressure on the party-state. The violence, arrests and threats constituted the overt push factors while appeals by a Zimbabwean minister to the South African government to consider renewing resident permits for Zimbabweans living in South Africa is an example of subtlety (*The Herald* 2014; Moyo 2014). Despite the above arguments, there is no doubt that intellectuals within the counter-hegemonic alliance have persisted against serious challenges, and sacrificed selflessly in the struggle for a democratic Zimbabwe.

Fractionalisation of civil society.

The institutionalisation of the GNU in 2009 led to the fractionalisation of the counter-hegemonic bloc of civil society. This was precipitated by the MDC's decision to participate in the unity government, against the wishes of some of its partners in civil society. The NCA, ZINASU and the ZCTU were not comfortable with the GNU, partly because the negotiations led by the SADC appointed then South African President Thabo Mbeki ignored the importance of civil society, and it was therefore viewed as an elite arrangement. Civil society organisations were also concerned that the MDC was going into the GNU as a weakened force after serious attrition inflicted by the regime it was going to partner (Chiroro 2013:24-5). The GNU, however, led to the temporary stabilisation of the economy (Muzondidya 2013:44). It was a process not dissimilar from the Lancaster House Agreement and the 1987 Unity Accord with regard to its exclusivity, and it was clear the balance of forces in the arrangement were going to favour ZANU-PF, a party that had actually lost the March 2008 elections (Raftopoulos 2009:230). The solidity of the counter-hegemonic bloc was further shaken when organisations such as CZC and NANGO (National Association of Non-Governmental Organisations) decided to fully participate in the GNU, while ZINASU, NCA and ZCTU disassociated themselves from the process. Subsequently, ZINASU

and ZCTU experienced minor splits during this period (2010-11) as some of their members continued to share cooperative relations with the MDC-T, while others gravitated towards the NCA, which transformed to become an opposition party in 2014.

Later, between 2012 and 2014, splits began to manifest themselves in the pro-hegemonic bloc as well.[152] This was more pronounced between the party-state and war veterans. It is difficult to see this disengagement as anything different from the hegemonic dynamic that Kriger (2003:1) identifies, where these two quarrel and cooperate – their mutual use of violence and intimidation interlaced with collaboration used to manipulate each other as they draw on their liberation credentials to advance their common agendas. But for that moment, when light shines on their differences, this fracturing of alliances and fractionalisation of the bloc will lead to a process of shattering the polarisation phenomenon. It may be too early to argue conclusively on the sustainability and positivity of this fractionalisation, but emerging evidence indicates that civil society organisations are beginning to be assertive. They are becoming critical of the political parties with which they have been aligned, and this is good for the future of democracy. If indeed this fractionalisation is a process of ideological refinement, locating each entity's true positionality away from the clutches of political parties, as was alleged by some interviewees, it may bring some positive development. If the NCA can become MDC's political competitor, residents' associations in cities continue to scrutinise, criticise and sniff out corrupt councilors, and oppose policies in MDC dominated urban councils when necessary, then a democratic future is possible.[153] When a suspended ZANU-PF politburo member and

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[152] By 2016, ZNLWVA, a major civil society organisations in the pro-hegemonic alliance had started to have public disagreements with senior members of ZANU-PF and serious confrontations with state institutions such as the police. President Mugabe also fired ZNLWVA chairman, Chris Mutsvanga and many others from cabinet and the party, accusing them of being successionists. These differences precipitated a public meeting between President Mugabe and the war veterans at the City Sports Centre on the 7th of April 2016. This meeting did not succeed in mending the relations as confrontations between a section within ZANU-PF and the ZNLWVA executive continued. Later in 2016, the ZNLWVA indicated that it was withdrawing its support for Mugabe (Mlevu, Mano and Chikwana 2016; Gaffey 2016; Kandemiiri 2016). All this is within the fractionalisation framework, which is discussed in this thesis. However, its democratic value will depend on how durable the fractionalisation will be since organisations such as the ZNLWVA seem not to be willing to disengage permanently from party politics. The ZNLWVA was heavily involved in the November 2017 ZANU-PF political events that led to the forced retirement of President Mugabe both at party and national level.

[153] See Bulawayo Progressive Residents Association (BPRA) (2015), whose chairman is a ZCTU regional chair in Bulawayo, for its opposition regarding some policies proposed or implemented by the MDC-T led council. See also Kadirire (2015) on the Combined Harare Residents' Association position on some policies suggested by the MDC-T led Harare City Council.

fired cabinet minister can still defiantly continue to lead the ZNLWVA despite his being outside the structures of that party, or ZFTU managing to tell off its former leader even though he is now a ZANU-PF Member of Parliament, then the hold that parties had on civil society is loosening. This should be applauded as it signals the beginning of an era where civil society makes use of the available democratic space to criticise their alliance partners. Of course, this is a process that will take time, it will experience gains and reversals. Many fly-by-night formations will spring up. For example, by the end of 2017, there were over 100 political parties registered with the Zimbabwe Electoral Commission, a figure never reached before. It will be fair to conclude that some of them are entrepreneurial exercises to access funding from donors. But with time, and the donor community shrinking, pretenders will be pruned out, and only those serious with pluralizing the polity will endure.

Faltering attempt at Counter-Hegemony.

Another of the study's findings is the faltering of the counter-hegemonic civil society's attempt at constructing an alternative hegemony. As was shown in Chapters 4, 5 and 6, the congealing of the counter-hegemonic civil society was directed towards constructing a counter-hegemony to replace the dominance of the party-state. The faltering was precipitated in part by the failure of counter-hegemonic civil society to make a distinction between itself and opposition political parties (Magure 2009:269). This was because individual organisations, coalitions and alliances that emerged did not develop clear and congealed ideological positions that would have defined their autonomy and insulated them from being sycophants of political parties. Political parties went as far as to determine who leaders of some civil society organisations should be. Other parties such as the MDC-T even went on to characterise civil society organisations that did not support the opposition as "pseudo civil society" (Interviewee 17). This lack of tolerance affects democracy even within the civil society sector itself.

The coalitional approach to civil society activism and politics forced the same individuals to affiliate to different civil society organisations simultaneously, more so in leadership positions. It was common for people to move from ZINASU to take leadership positions in other counter-hegemonic organisations, or to find leaders hopping from one organisation to another, or to be a leader in two organisations at the

same time. This encouraged not only duplication of activities but also the monopolisation of the arena by the same individuals, in the process compromising diversity and stifling creativity. This made the arena opaque and territorial, a sector that had "its own people", making it exclusionary and non-democratic. Most of the new organisations that were formed would enter the sector with predetermined friends and enemies. This emboldened polarisation.

The shrinking economy of the country made it very difficult for organisations to be able to access resources internally. As a result, the counter-hegemonic bloc relied excessively on external donors whose continued support could not be assumed. This exposed organisations on two fronts. Firstly, as was shown in Chapter 7, some organisations' agendas got tied with donors'. In other words, their sustained funding depended on their continued support of a donor's ideology, a classic situation of programmes chasing the money, and not money going after programmes. Organisations receiving most funding were aligned to the MDC-T, while those defining themselves outside the agenda espoused by the party, such as the NCA and ZINASU during the GNU, lost their funding, leaving some of their programmes uncompleted (Interviewees 4; 9; 13 & 23). Secondly, the party-state and its aligned civil society groups used this dependency on external funding as a point of entry to drive an assault on the counter-hegemonic project by developing a narrative that sought to portray the dalliance between civil society and donors as predicated on the later's desire to effect a regime change in Zimbabwe through the former. The counter-hegemonic civil society failed to square up against this narrative, and allowed the party-state to run with it to good effect regionally, continentally, and to a large extent, locally. Furthermore, while pro-hegemonic civil society managed to connect with the party-state's nationalist project, counter-hegemonic groups failed to link up with the country's history, and thus faced difficulties in delegitimising the ruling party and its ill-planned redistributionist agenda.

Despite the above observations that have led to a faltering counter-hegemony, there is no doubt that pro-democracy civil society managed to establish and shine light on pressure points such as the constitutional question, the democratic question, and the equitable redistribution of resources, which needed to be flagged in a sustained quest for democratisation. All this has increased people's hopes of a democratic future in Zimbabwe. Different sites of participation such as residents' associations, which continue to realise small but not insignificant scores, as when they manage to win back

a house repossessed by council, or to reverse introduction of water meters, concretise this hope.

Research Conclusions.

This study makes a critical contribution to literature on civil society, political economy, historiography, polarisation, and the notion of democracy, and the relevance of all these issues in post-colonial Zimbabwe. While some theorists doubt the existence of civil society in Zimbabwe, and others portray the arena as that only occupied by organisations oppositional to the state, this study shines light on other organisations that cooperate with the state, and identifies them as possessing the same rights of being part of civil society as those oppositional to the party-state. The incestuous relations civic organisations share with political parties across the political divide encumbers civil society's role. Even though this sector in Zimbabwe provides a platform for political and ideological contestation, its enduring alignment with the two political parties undermines this role. This, together with overreliance on unpredictable donors, ideological weaknesses, the economic crisis, and the unprecedented outward migration of many civic activists ensured that the construction of an alternative hegemony did not hold against a coercive party-state that sought to maintain hegemony, even through stealing elections.

Important to emphasise is that both the state and civil society shaped the relations that took root between 1988 and 2014. One cannot see civil society as having been a hapless victim of the relations that ensued. To do so would be to strip civil society of its agency while giving the party-state more credit than it deserves.

The study also clarified the emergence and the rapacious effects of the polarisation dialectic that has defined Zimbabwe's politics since the early 1960s. Many writers such as Moyo and Murisa (2008); Raftopoulos (2013); Gallagher (2015); Aeby (2015) and Magure (2009) have noted, albeit in passing, the negative effects of polarisation in Zimbabwe. Very few theorists (LeBas 2006; 2011; Ncube 2010; McCandless 2012) have attempted to provide deep analysis of the phenomenon. This study differs from all the above in that it analyses polarisation from a historical perspective, and does not treat it as a phenomenon that emerged with the Zimbabwean crisis of the 2000s. The conclusion is that polarisation, with its attendant inclination towards peripheralising

other important questions, thrived on ethnicity, leadership qualities and personalities from the early 1960s up to 1987. From 1988 to 2014, stronger ideas of democracy crept in to nourish the phenomenon of polarisation. Demonstrations, movements, coalitions, political parties, radical policies, violence, elections, pacts, and splits, despite their contradictions, all connived to amplify polarisation within this democratisation narrative. The 1987 agreement signed between ZANU-PF and PF-ZAPU failed dismally in its attempt to depolarise society, and its dubbing as the "Unity Agreement" became hollow as national unity remained elusive.

As from 1990 onwards, the polarised nature of politics in Zimbabwe gave rise to a sustained existence of mainly two forms of state and civil society engagement – cooperation and confrontation. This was institutionalised through the formation of coalitions and alliances that served to crystallise boundaries of the hegemonic and counter-hegemonic blocs. In an orbicular fashion, the institutionalisation of these relations in turn nourished and buttressed the phenomenon of polarisation, which had led to the development of those relations.

From 2009, alliances and individual organisations began to fracture, in the process tempering with the polarised organisation of civil society. The position of this study is that this fractionalisation led to the unravelling of the polarisation phenomenon as organisations began to introspect and detach themselves from political parties. This will be a slow process, but this study views it as a process that will bring some positives, despite its largely retrogressive appearance. For example, more centres of power are developing, and more pressure points are being established. This will bring into focus previously peripheralised questions, and increase platforms of participation.

As this study concludes, it is difficult not to notice the immense role that civil society has played, especially in amplifying calls for democracy and the identification of sites where the process of democratisation needed impetus. Organic intellectuals played a major role in directing these movements, both pro-hegemonic and counter-hegemonic. However, because of the enduring polarisation phenomenon that plagued almost every sector and discourse in the country, every attempt at popular democracy was like trying to swim against a big wave. Failure was the only outcome possible. The 2008 electoral quagmire where there was no clear winner attests to that failure. The fact that there were no protests or court cases from civil society and the MDC against the outcome of the 2013 election despite the later having strongly claimed that the election had been rigged, allowed ZANU-PF to remain in charge. As Gramsci

(1999:556) argued, it was a crisis where the old seemed to be dying, but the new could not be born yet, and such an environment brought with it the many morbid symptoms discussed in this particular study, and many others. Therefore it is not by coincidence that the level of democracy in Zimbabwe is where it is at the time of writing in 2017.[154]

In November 2017, most people could not tell whether the removal of Mugabe was a coup or something else. But the nature of the events suggests something very interesting about Zimbabwean politics. It is betwixt and between a lot of discourses and practices that will be clarified by future studies. These events, and others before that are a reflection of the efforts, struggles and counter-struggles (polarised) that have tended to cancel each other, in the process choking the much needed march towards popular democracy.

The fractionalisation of civil society organisations experienced between 2009 and 2014 should be welcomed, though with caution, as it has, and continues to unravel the patterns of polarisation politics, creating more centres of participation where real and concrete issues can be tackled without fear of being "politically incorrect", which, as this study argues, may give popular democracy a great first push. The popularity of emerging social movements such as Evan Mawarire's "This flag" campaign and the youthful "Tatjamuka/Sesjikile" is just but a manifestation of this "third way" (Kandemiiri 2016, Pindula 2016; Simon 2016; Tajamuka/Sesjikile Campaign 2016). Activities of these campaigns are outside the scope of this study. But as was indicated earlier, Zimbabwe's political developments are very fluid and complex, they defy even the best of predictions. This is why the study suggests the ideas below, which are related to this study as possible areas of future research that may be conducted in an attempt to give further clarity to Zimbabwe's political economy.

Prospects for future research.

It would be informative if more research could be conducted to determine the extent and effects of the polarisation phenomenon on Zimbabweans in the diaspora. The assumption has always been that those who left the country are mainly not supportive

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[154] Afrobarometer (2009:9) survey found that fifty-eight per cent of the population believe that there is no democracy in Zimbabwe, while the February 2017 survey says seventy-two per cent of the citizens believe Zimbabwe is not a democracy, or a democracy with problems.

of the ruling party, hence, the call for a diaspora vote by opposition parties. The veracity of such an assumption has not been tested. For logistical reasons, such a study could be conducted at country level, depending on where a reasonable population of Zimbabwean exists. Secondly, if polarisation continues to persist beyond the 2017 "coup", it might also be valuable to assess this polarisation and its effects beyond 2014, including the interrogation of the political events leading to and beyond the "coup". Such an examination would be of tremendous value if it finds other issues that nourish polarisation other than ethnicity, personalities and democracy. A study of the emerging social movements such as #This Flag and #Tajamuka/Sesjikile can be useful to analyse not only their achievements, but also their ideological orientation. Lastly, dominant civil society organisations in Zimbabwe seem to be located in urban centres, mainly in the capital city. The amount of literature on urban based organisations, which includes this study, attests to this assumption. An examination of civil society in the countryside, to complement the few studies that have already been conducted (e.g. Mtisi 2016; Moore and Moyo 2018) could be very enlightening. Such a study can be used to understand ZANU-PF's continued dominance in the rural communities, and to also establish how rural populations, through the "neutral" arena of civil society, not traditional sites, understand the notion of democracy.

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Appendices

Appendix A *List of interviewees – identities hidden*

Identification	Date of interview	Place of interview	Organisation
Interviewee 1	02/11/15	Harare	ZINASU/NCA
Interviewee 2	27/11/15	Harare	MPSLSW
Interviewee 3	10/11/15	Harare	MDC/MDC-T
Interviewee 4	24/07/15	Johannesburg	ZINASU/NCA
Interviewee 5	30/12/15	Johannesburg	ZINASU/NCA/MDC
Interviewee 6	14/12/15	Bulawayo	MDC/MDC-N
Interviewee 7	30/12/16	Bulawayo	ZANU-PF/ZAPU
Interviewee 8	11/12/15	Harare	Academic
Interviewee 9	14/03/16	Johannesburg	ZINASU/CS*
Interviewee 10	02/12/15	Harare	Academic/ZCTU
Interviewee 11	03/11/15	Harare	ZLHR/CZC
Interviewee 12	03/12/15	Harare	MDC-M
Interviewee 13	01/12/15	Harare	NCA
Interviewee 14	04/11/15	Bulawayo	MDC-T/CS*
Interviewee 15	14/08/15	Bulawayo	ZNLWVA/ZANU-PF
Interviewee 16	23/07/15	Johannesburg	CZC/ZINASU
Interviewee 17	11/11/15	Harare	MDC-T
Interviewee 18	20/11/15	Harare	NANGO
Interviewee 19	01/09/15	Harare	CZC/ZINASU
Interviewee 20	01/09/15	Harare	CZC/CS*
Interviewee 21	22/09/15	Masvingo	ZCTU
Interviewee 22	23/10/15	Harare	MPSLSW
Interviewee 23	23/10/15	Harare	NCA
Interviewee 24	09/11/15	Harare	Parliament
Interviewee 25	17/12/15	Bulawayo	ZANU-PF/ZNLWVA
Interviewee 26	28/10/15	Harare	ZFTU
Interviewee 27	17/12/15	Bulawayo	NANGO
Interviewee 28	01/03/17	Cape Town	CZC/NCA/Academic
Interviewee 29	11/11/15	Harare	Academic
Interviewee 30	10/12/15	Harare	Academic
Interviewee 31	19/11/15	Harare	Academic
Interviewee 32	05/11/15	Bulawayo	ZCTU/CS*
Interviewee 33	15/12/15	Bulawayo	BUPRA
Interviewee 34	14/08/15	Bulawayo	CZC/CS
Interviewee 35	04/12/15	Harare	CZC/HRNGOF
Interviewee 36	25/11/15	Harare	ZICOSU/UZ Student
Interviewee 37	03/09/15	Harare	NCA/ZINASU/Acade
Interviewee 38	25/11/15	Harare	MDC-T
Interviewee 39	16/11/15	Harare	MDC-T
Interviewee 40	02/09/15	Harare	ZCTU

Interviewee 41	19/12/17	Bulawayo	MDC-T
Interviewee 42	03/05/17	Johannesburg+	ZICOSU
Interviewee 43	21/04/17	Johannesburg	ZINASU/CZC
Interviewee 44	25/11/15	Harare	ZINASU/UZ Student
Interviewee 45	29/06/17	Harare^	ZINASU
Interviewee 46	12/11/17	Johannesburg	ZLP

* ---- Another civil society organisation, name withheld to hide identity
+ ---- Interview via email exchanges
^ ---- Interview via telephone
BUPRA – Bulawayo United Progressive Residents Association
MPSLSW – Ministry of Public Service, Labour and Social Welfare.
HRNGOF – Human Rights Non-Governmental Organisations Forum

Appendix B

Interview Questions

A. Leaders of civil society organisations

Narrative questions

1. What is the name of your organisation and what is/was your role in this organisation?
2. How long have you worked or been a member of this organisation?
3. When was your organisation formed?
4. Are you a membership-based organisation, and if so, how big is your organisation in terms of membership?
5. Would you share with me your educational/professional background?

Substantive questions

1. What are the main objectives and activities of your organisation?
2. What is your organisation's ideology and how does it articulate with other ideologies and cultures in Zimbabwe?
3. How do you conceptualise/define 'civil society' and how do you see it placed within society as a whole? What is the role of your organisation in this big picture?
4. Do you think your organisation is part of civil society?
5. Does your organisation subscribe to democratic principles both internally and society wide? If yes, briefly explain what your organisation is doing to realise these principles. How do you arrive at policy decisions and how do you communicate these to your members and the state?
6. a) How would you describe your organisation's relationship with the state and its institutions? Would you classify this relationship as progressive?
    b) Do you think these relations have enhanced or retarded the growth of democracy?
7. What is your opinion regarding legislation that is currently regulating operations of civil society organisations (e.g. the PVO Act Chapter 17:05, POSA Chapter 11:17 of 2002)?
8. a) Describe the intra-organisational relations that exist in your organisation.
    b) Since its formation, has your organisation ever split or is a result of a split? If yes, when and why? If not, do you have a reason why not?
    c) What effect did this split/fracturing have on your organisation's objectives and programmes and activities?
9. a) Describe the relationship that you have with these other organisations: CZC, ZCTU, ZFTU, ZICOSU, ZINASU, ZILIWACO, ZNLWVA and NCA.
    b) In your opinion, do you think your relations with these organisations have contributed anything to the realisation/retardation of democracy in Zimbabwe?
    c) The aforementioned organisations have a clear binary in terms of their programmatic emphasis – one group emphasising human rights issues, while the other magnifying redistribution and national control of resources such as land. What is your view on this?
    d) What is the position of your organisation on (i) Human rights issues?   (ii) Resource redistribution policies?
10. What do you think causes the polarisation of civil society space in Zimbabwe?
11. In your opinion, what causes the fracturing of organisations such as ZCTU and

ZFTU, ZINASU and ZICOSU, etc.?

12. a) Describe the relationship that you have with these political parties: MDC, MDC-T, ZANU PF.

b) In your opinion, do you think your relations with these political parties have altered over time due to the policies you or they have adopted?

c) What role do you think these relations have played in polarising civil society space in Zimbabwe?

13. Do you have any programmatic relations with any political party and civil society organisation? If yes, what programmes, if no, why not?

14. a) What role do your donors play in your programmatic planning?

b) Do you believe donors have played any role in the polarisation and fracturing of civil society organisations in Zimbabwe?

c) Do you believe the state has played any role in the polarisation and fracturing of civil society organisations in Zimbabwe?

16. Any other relevant information that you would want to add or clarify?

B. Interview questions for Leaders of political parties.

Narrative questions

1. What is the name of your organisation? What is/was your role in the organisation?
2. How long have you been a member of this organisation?
3. When was it formed?
4. Would you share with me your educational/professional background?

Substantive questions

1. What are the main objectives/activities of your organisation?
2. What would you say is the main ideology of your organisation and how does it articulate with other ideologies and cultures in Zimbabwe?
3. How would you describe your organisation's relationship with the state and its institutions?
4. How do you conceptualise/define civil society and how do you see it placed within society as a whole? What is the role of your organisation in this big picture?
5. What is your opinion regarding legislation that currently regulates the operations of civil society organisations (e.g. PVO Act Chapter 17:05; POSA Chapter 11:17 of 2002)?
6. a) Since its formation, has your organisation ever split or is it a result of a split? If yes, when and why?

b) What effect did this split/fracturing have on your organisation's objectives and programmes?

7. a) Which of the following civil society organisations do you have a working relationship with? CZC, ZCTU, ZFTU, ZICOSU, ZINASU, ZILIWACO, ZNLWVA and NCA.

b) Do you have any programmatic relations with any civil society organisation, if so, what programmes?

c) Are there any civil society organisations that you had a working relationship with, but this relationship has altered over time due to policies you or they have adopted?

d) What effects do you think your relations with civil society organisations have had on the realisation of democracy in Zimbabwe?

e) The aforementioned organisations have a clear binary in terms of their programmatic emphasis – one group emphasising human rights issues while the

other magnifying redistribution of and national control of resources such as land. What is your view on this?

f) What is the position of your organisation on (i) Human rights issues? (ii) Resource redistribution policies?

7. What do you think causes the polarisation of civil society space in Zimbabwe?

8. In your opinion, what causes the fracturing of organisations like ZCTU and ZFTU, ZINASU and ZICOSU, etc.?

9. Do you think relations that political parties develop with certain civil society organisations contribute towards the polarisation and fractionalisation of the civil society arena in Zimbabwe?

10. What role do your donors play in your programmatic planning?

11. a) Do you think donors have played any role in the polarisation and fracturing of civil society organisations in Zimbabwe? Elaborate.

b) Do you think the state has played any role in the polarisation and fracturing of civil society organisations in Zimbabwe? Elaborate.

12. Is there anything that you would like to add or clarify?

C. Interview questions for intellectuals/academia

1. Do you currently work for any civil society organisation?

2. Have you written papers, book chapters or done any conference presentation on issues related to civil society in Zimbabwe? If yes, please briefly tell me about these.

3. How do you conceptualise/define civil society and how do you see it placed within society as a whole?

4. My study tracks the activities of the following organisations: CZC, ZCTU, ZFTU, ZICOSU, ZINASU, ZILIWACO, ZNLWVA and NCA. Would you characterise all these as part of civil society?

5. The aforementioned organisations have a clear binary in terms of their programmatic emphasis – one group emphasising human rights issues while the other magnifying redistribution of and national control of resources such as land. What is your view on this?

6. What is your view on (i) Human rights issues? (ii) Resource redistribution policies? With regard to civil society space in Zimbabwe?

7. a) Do you agree with the notion that civil society space in Zimbabwe has been polarised, with one group predominantly close to opposition parties, while the other working closely with the state?

b) If the above characterisation is correct, do you think this is good for democracy in Zimbabwe?

c) In your opinion, what has been the role of political parties in this polarisation phenomenon?

8. a) In the past few years, we have seen the fracturing of civil society organisations such as ZCTU and ZINASU, with ZFTU and ZICOSU being the offshoots. In your opinion, what could be the cause of this phenomenon?

b) Would you consider this fracturing/fractionalisation to be part of the polarisation processes?

c) What effect will this fracturing/fractionalisation have in the democratisation of civil society space and that of Zimbabwe in general?

9. a) Political parties have not been exempt from this fractionalisation phenomenon – ZAPU/ZANU in 1963, ZANU/ZANU-Ndonga in the 1975, MDC/MDC-T in 2005, MDC-

T/MDC Renewal Team in 2014, (ZANU PF/ZANU People First 2015). In your opinion, has this phenomenon been adequately theorised in Zimbabwe?

b) Could there be a relationship between the fracturing of political parties and that of civil society organisations?

c) Do you think donors have a hand in this fractionalisation?

10. What has been the role of intellectuals and academia in:
    a) Polarisation of civil society space in Zimbabwe and vice-versa?
    b) Fractionalisation of civil society organisations and political parties in Zimbabwe?
    c) The process of democratisation in Zimbabwe?

D. Interview Guide: Ordinary members of CSO/Political parties.

Narrative questions.

1. What is the name of your organisation?
2. How long have you been a member of this organisation?
3. Which other organisation (political party or civil society organisation) are you a member of?
4. Do you have any leadership/organisational role in your organisation?

Substantive questions

1. What main activities of your organisation do you participate in?
2. Do you consider your organisation to be part of civil society?
3. a) How does your organisation arrive at policy decisions, and how are these decisions communicated to the grassroots membership of your organisation?

   b) As members of this organisation, are you happy about how this is done?

4. As lower members of your organisation, describe the relationship you have with :
    a) Members of civil society organisations such as NCA, ZINASU, ZICOSU, ZCTU, ZFTU, ZNLWVA, ZILIWACO and CZC.
    b) Members of political parties such as the MDC-T, MDC Renewal Team, ZANU PF, MDC.
    c) Do you have any programmatic relationships with the above organisations, and if so, which ones?
5. There is a perceived divide of civil society into two dominant groups: Those who work closely with the state and others closer to opposition parties. Do you agree and what do you think causes this phenomenon?
6. The aforementioned organisations have a clear binary in terms of their programmatic emphasis – one group emphasising human rights issues while the other magnifying redistribution of and national control of resources such as land. What is your view on this?
7. What is the position of your organisation on (i) Human rights issues? (ii) Resource redistribution policies such as land reform and indigenisation?
8. a) Some civil society organisations such as the ZCTU and ZINASU have split up to form offshoots such as ZFTU and ZICOSU. What do you think are the causes of these splits?
    b. As members of organisations on the ground, how do you think these splits affect the processes of democracy in Zimbabwe?

c. Describe your relationship with state institutions that you interact with such as the police, council and different ministry offices.

E. Interview questions for Ministry officials.

1. Which ministry do you work for?
2. How long have you worked for this ministry?
3. Do you have a specific section/desk in the ministry which deals specifically with issues relating to civil society organisations?
4. How do you conceptualise/define civil society and how do you see it placed within society as a whole?
5. My study tracks the activities of the following organisations: CZC, ZCTU, ZFTU, ZICOSU, ZINASU, ZILIWACO, ZNLWVA and NCA. Would you characterise all these as part of civil society?
6. The aforementioned organisations have a clear binary in terms of their programmatic emphasis – one group emphasising human rights issues while the other magnifying redistribution of and national control of resources such as land. What is your view on this?
7. a) There is a perception that civil society space in Zimbabwe has been polarised, with one group of civil society maintaining a closer relationship with opposition parties, while the other polar is closer to the ruling party. Do you agree with this assessment?
   b) If you agree, what, in your opinion causes this polarisation?
8. Which legislation governs your relationship with civil society organisations?
9. Have you received any communication from CS with regard to these pieces of legislation and how it enables/disables their operations? If yes, what has been done about it?
10. Could you elaborate on the kind of relationship that you have with the following civil society organisations: ZCTU, NCA, CZC, ZINASU, ZICOSU, ZNLWVA, ZILIWACO and ZFTU.
11. Do you, both as a ministry and as government, have any programmatic engagements with any of these organisations? If yes, which programmes?
12. Do you have anything else to add or clarify?

Thank you

Consent Form

The researcher

My name is Zenzo Moyo, and I am a PhD student at the University of Johannesburg, South Africa. I am conducting a qualitative research study titled: **Civil society, the state and democracy in Zimbabwe, 1992-2014: Hegemony, polarisation and fracturing.**

The Research

My study aims to interrogate the phenomenon of civil society polarisation and fractionalisation in Zimbabwe, and how this tendency has contributed to the current state of democracy in Zimbabwe. It will also examine the role of organic as well as traditional intellectuals in the polarisation and fracturing of the civil society arena in Zimbabwe.
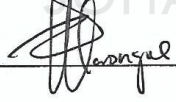
Your participation in this study will consist of an interview that will last approximately one hour. This interview will be audio-taped, unless otherwise requested by the participant. During the interview the researcher will also be taking down notes to assist him later when he is analysing the information.

Participation is voluntary and the interviewee has the right to terminate the interview at any time when she/he starts feeling uncomfortable.

Confidentiality

All your information and interview responses will be kept private and confidential. Your name and identifying information will not be associated with any part of the written report of the research unless if your permission to do so is obtained.

By signing below I acknowledge that I understand the above information. I am aware that I can discontinue my participation in the study at any time.

Signature _____

Date: _26/11/15_____

Appendix C

Letters and permissions

David Moore, Phd.
Professor of Development Studies
D-Ring 507, Kingsway Campus
Auckland Park SA 2006
+27 (0)11-559-2979 / dbmoore@uj.ac.za

UNIVERSITY
OF
JOHANNESBURG

June 18, 2015

RE: MR ZENZO MOYO, Doctoral Candidate

To Whom It May Concern:

I am writing this letter to introduce Mr Zenzo Moyo, who is studying under my supervision for a doctoral degree in Development Studies at the Department of Anthropology and Development Studies, University of Johannesburg, South Africa.

Mr Moyo is researching for a doctoral thesis on civil society, the state, and democracy. This is an important and interesting area of research, which has implications for reforming and improving the role of civil society and the state in influencing pro-poor policies and democratisation in the country.

To enable him undertake to this study, Mr Moyo requires access to relevant civil society organisations/institutions and state officials in Zimbabwe. The department and the University of Johannesburg (UJ) would like to ask for your co-operation and support during Mr Moyo's field research in Zimbabwe.

I will be very grateful if you could facilitate his work and help him in any way possible.

If you need more information do not hesitate to call or email me at the above address.

Sincere thanks,

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All communications should be addressed to:
CLERK OF PARLIAMENT

Fax: 252935

PARLIAMENT OF ZIMBABWE
P.O. Box CY 298
Causeway
Zimbabwe
Telephone: 700181-8, 252931
                252936/7, 252940/2
                252945/6, 708923

Ref: Pers

04 December 2015

Mr. Zenzo Moyo
90, 9ᵗʰ Crescent, Warren Park
Harare

Dear Mr. Moyo

RE: REQUEST TO CONDUCT RESEARCH

Reference is made to your letter dated 16 November 2015, wherein you requested to conduct research in partial fulfillment of the requirements for the degree programme you are currently doing.

Please be advised that the Clerk of Parliament has granted authority for you to conduct the said research. You will be required to report to the Human Resources Department before you proceed with the research work.

We wish you all the best in your research work.

Yours faithfully

Mutamba M. L (Mrs.)
Acting Director Human Resources
For: Acting Clerk of Parliament

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Official communications should
Not be addressed to individuals
———
Telephone: Harare 790872/7
Telegrams "SECLAB"
Private Bag 7707/7750

MINISTRY OF PUBLIC SERVICE,
LABOUR AND SOCIAL WELFARE
Compensation House

Cnr Fourth Street and Central Avenue
HARARE

ZIMBABWE

Ref: SW/12/5

1 October 2015

Mr Zenzo Moyo
No. 39 Emthunzini
Bulawayo

**PERMISSION TO ACCESS AN OFFICIAL WITHIN THE MINISTRY TO DISCUSS
ISSUES OF RELATIONS BETWEEN THE GOVERNMENT OF ZIMBABWE AND
THE CIVIL SOCIETY ORGANISATIONS: MR ZENZO MOYO: UNIVERSITY OF
JOHANNESBURG STUDENT: SOUTH AFRICA**

The above subject matter refers.

Please be advised that permission is hereby granted for you to interview an official of this
Ministry with regards to relations between the Zimbabwean Government and the Civil
Society Organisations.

Permission is, however granted strictly on condition that the research is for academic
purposes only. The identities of those involved in the interviews should be guarded. As the
interviews have a bearing on the Ministry's mandate, it would be appreciated if a copy of
your research output document would be availed to the Secretary of this Ministry.

E.C Gapara
Director Human Resources
For Secretary Public Service Labour and Social Welfare

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No. 90, Ninth Crescent,
Warren Park.
Harare

24 November 2015

To: The Secretary for Information
    ZANU PF Headquarters
    Harare

Good day Sir.

My name is Zenzo Moyo. I am a PhD student/researcher at the University of Johannesburg. My research area deals with the civil society arena in Zimbabwe, the state and democracy. I am a Zimbabwean studying in South Africa. I am looking specifically at the polarisation and fractionalisation of civil society space and what this phenomenon will have on building a democratic nation.

I kindly request to have an interview/discussion with you (or anyone you may delegate, such as the Deputy Secretary for Information) in relation to the state of civil society in Zimbabwe and how your party perceives the state-civil society relations and how the same have helped the process of democratisation in the country. My study also covers the relations that prevail between civil society actors and political parties in Zimbabwe. Your insight on these issues will go a long way in assisting me with my study.

The interview is purely for academic purposes and knowledge production, and will **only** be used for my dissertation.

If it is possible to fit me in your busy schedule, I am in Harare up to the 7th of December 2015.

I hope my request will considered favourably.

Yours sincerely,

Zenzo Moyo

_____
zenzomoyo@yahoo.com
00263 773 898 735

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Appendix D

Evidence of observation opportunities

Zimbabwe HUMAN RIGHTS NGO Forum

NANGO National Association Of Non-Governmental Organisations

ZIMBABWE LAWYERS FOR HUMAN RIGHTS

UNIVERSAL PERIODIC REVIEW

PROGRAMME

HOLIDAY INN, HARARE

7 OCTOBER 2015

Time	Facilitator – Dzikamai Bere	Presenter
0830 – 0930hrs	Arrival and Registration.	
0930 – 0940hrs	Welcome Remarks and Introductions Meeting Objectives	**NANGO** Dr Zinhumwe
0940 – 1000hrs	A brief overview of the UPR process	**NGO Forum** Tafadzwa Christmas
1000 – 1030hrs	**Tea Break**	
1030 – 1100hrs	**Plenary**	**NGO Forum** Dzikamai Bere
1100 – 1230hrs	Towards the 2016 2nd cycle UPR Review - *Building on mid-term shadow report 2014* - Group work feedback	**ZLHR** Roselyn Hanzi
1230 – 1245hrs	Way Forward	
1245 – 1300hrs	**Closing/Departure**	
1300hrs	**Lunch**	

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Zimbabwe National Budget Coalition
Policy Dialogue Series - 2016 National Budget Submissions Program
21 October 2015 - Holiday Inn Harare

Facilitator -- NANGO Programmes Director

Time	Activity	Responsible
0830-0845	Arrival and Registration	NANGO Secretariat
0845 - 0855	Introductions and Welcome Remarks	Mr. M. Marongwe – NANGO/ZNBC Secretariat
0855 - 0900	Objectives of the Meeting	Mr. M. Zigbwi – Caritas Zimbabwe
0900 – 0930	Key Note Address	Dr. D.M. Sibanda, Permanent Secretary – Ministry of Macroeconomic Planning and Investment Promotion
0930- 1000	Advancing Citizen Participation in Budget Processes	Hon. D. Chapfika - Parliamentary Portfolio on Finance and Economic Development
1000 - 1030	Tea Break	
1030 - 1130	Thematic Sectoral 10 Point Plan Priority Presentations	1. National Priorities – National Association of Non Governmental Organizations 2. People with Disabilities Priorities – National Association of Societies for the Care of the Handicapped 3. Women Priorities – Zimbabwe Women's Resource Centre and Network 4. Children Priorities – Junior Councilor 5. Smallholder Agriculture Priorities – CARITAS Zimbabwe 6. Zimbabwe Environmental Law Association and Publish What You Pay
1130 - 1210	Plenary Discussions	Mr. M. Marongwe - NANGO/ZNBC Secretariat
1210 - 1230	Next Key Steps and Way Forward	Mr. M. Zigbwi – Caritas Zimbabwe
1230 -1235	Closing Remarks	ZNBC Member Organisation
1235 -	Lunch and Departure	

NASCOH

Poverty Reduction Trust

Zimbabwe Environmental Law Association

ZWRCN 25 ANNIVERSARY Zimbabwe Women's Resource Centre & Network

COMMUNITY WORKING GROUP ON HEALTH CWGH

TRANSPARENCY INTERNATIONAL ZIMBABWE

Save the Children.

EFZ Evangelical Fellowship of Zimbabwe

Caritas ZIMBABWE

ZNCC The Voice of Business

CHRA A People united for the community

GRRA MURRA CHRISTIAN LEGAL SOCIETY

HABAKKUK TRUST

ZIMBABWE Doing Justice with Compassion

NANGO National Association of Non-Governmental Organisations

HARARE RESIDENTS TRUST

WORKSHOP ON DOMESTICATION AND PROMOTION OF AGENDA 2063: 27 NOVEMBER 2015, MEIKLES HOTEL, HARARE

PROGRAMME

08:00 – 08:30   : Arrival of Guests and Registration

08:30 – 08:40   : Introductory Remarks by a Senior Official of the Ministry of Foreign Affairs

08:40 – 09:10   : Presentation on the objectives of the Workshop by the AUC Secretariat

09:10 – 09:40   : Presentation by the AUC Secretariat on the challenges affecting the implementation and domestication of Agenda 2063 and how it will assist Member States

09:40 – 10:15   : Presentation by the Ministry of Macro-Economic Planning and Investment Promotion on how Zimbabwe is implementing and domesticating Agenda 2063 into national policies

10:15 – 10:30   : **TEA BREAK**

10:30 – 11:00 :   Presentation by the Ministry of Women Affairs, Gender and Community Development on the implementation Of Agenda 2063 and its impact on the development and advancement of Women

11:00 – 11:30   : Presentation by Parliament on the role of Parliament and the Pan African Parliament in the implementation and domestication of Agenda 2063.

11:30 – 11:50   : Presentation by a representative of the Private Sector

11:50 – 12:10   : Presentation by a representative of the Civil Society Organisation

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12:10 – 12:50	:	Summary of the Key Outcomes – Government/AUC Secretariat
12:50 – 13:00	:	Closing Remarks by Ministry of Foreign Affairs
13:00 – 14:00	:	**LUNCH BREAK**
14:00 – 15:00	:	Debriefing with National Planning Authority.

Programme
HOLIDAY INN
8 DECEMBER 2015

Time	CSO CODE OF CONDUCT NATIONAL DRAFTING COMMITTEE MEETING	Presenter
0830-0900	Arrival of Participants and Registration	NANGO Secretariat
0900-0930	Introductions	Mr Ndlovu
0930-0945	Welcome Remarks and Workshop Objectives	Dr Zinhumwe
0945-1000	Group Discussion: *Development of CSO Code of Conduct Framework*	NANGO Secretariat
1000 – 1020	Tea Break	
1020 – 1120	Continuation of Group Discussion	Participants
1120-1200	Group Work: Presentation	Participants
1200-1230	Reflections & Way forward	Mr Ndlovu
1230-1240	Formulation of a Smaller drafting Group	Mr Ndlovu
13 00 -1400	Lunch	

Time	VALIDATION OF 2015 HUMAN RIGHTS REPORT MEETING	Presenter
1400 - 1430	Arrival of Participants and Registration	NANGO
1430 - 1440	Workshop Objectives	Mr Zibgwi
1440 - 1520	Group Discussion: *Review of the draft report*	NANGO Secretariat
1520 – 1530	Tea Break	
1530 - 1600	Group Work Presentations	Participants
1600 - 1615	Reflections & Way Forward	Mr Zibgwi
1615	Departure	

Appendix E

Mike Davis' "Prison Diary" when ZCTU and other civic leaders were arrested in Harare during a demonstration in 2003, showing the coalitional nature of activism in Zimbabwe. The diary is followed by international responses to the arrests.

Brian Raftopoulos

From: "M Davies" <gardener@zol.co.zw>
To: <gardener@zol.co.zw>
Sent: 23 November 2003 11:12
Subject: prison diary

dear family, friends and colleagues

Thank you for the concern, care and support from many of you during the last week. It has been a great victory - not for our own personal agendas but in the unity of purpose that has been shown by a broad range of activists. At last we have a meaningful and activist coalition again that has demonstrated genuine and dedicated leadership that is not afraid to confront the illegitimate regime on the streets. Ultimately it is actions such as this that will mobilise Zimbabweans to stand up and tell mugabe and his cronies to go in unequivocal terms. I hope to see many of your faces at our next action!

I can only give my personal recollection of events for you. Given my notoriously poor short-term memory, I stand to be corrected on points of fact!

Regards
Mike

Tuesday 18 November

11.00 am We gather at the Crisis Coalition. We get a report of the arrests of ZCTU leaders at a hotel in town. After recording some video footage we drive into the city, through a roadblock.

12.00pm. Civic leaders including Lovemore Madhuku (Chair National Constitutional Assembly) Brain Raftopoulos (Chair, Crisis Coalition) John Makumbe (Coordinator, Crisis) Janah Ncube (Chair Womens Coalition and Vice-chair, Crisis) Andy Moyse (Media Monitoring Project Zimbabwe), myself and others start to gather under the pedestrian bridge outside Town Hall watched closely by a small group of police. Reports come in of riot police waiting near Kaguvi Street. We are apparently a decoy group so we mill about waiting for the main ZCTU demo to join us which they do at about 12.50 marching north along Julius Nyerere. We join in with placards aloft, stopping the traffic. About 200 marchers I guess. We proceed about 50 metres when riot police attack with batons. Demonstrators scatter mostly over the railings in the central island; the 'elderly' are not so nimble and a number of us are beaten and chased along the road. I foolishly decide to sit down in front of a policeman but before I can do so I am whacked four or five times with a baton across my back and thighs. I decide against being a martyr and escape to the other side of the intersection. We regroup. Some want to move to First Street and carry on but Janah and I decide that the main goal is to attract as much publicity as possible and that this will be achieved by ensuring that all the leaders are arrested. We turn back and cross the street to Town Hall where we are loaded into a Landrover Defender, joining our detained colleagues including John Makumbe who had been given a 'helping hand' by police (so well photographed and printed on the front page of Friday's Independent). We get down to texting the news out on our phones. We wait for more colleagues to join us. The police radio crackles "bring the loot to Central" and our driver heads off around the block - only to be sent back to Town Hall where we wait for some time again before heading off.

24/11/03

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1.30 pm Central Police Station Harare

At Central we are made to sit down in the courtyard with many comrades including those leaders of the ZCTU who had been grabbed earlier. We are 45 men and 7 women. Spirits are high; the police are sullen and aggressive. We must sit, stand, sit but we are not cowed and much banter is exchanged, mocking our captors. Makedenge from CID Law & Order arrives and is greeted with much noise from all who recognise him; he smiles bemusedly and retreats before the barrage. Our lawyers are in sight and we are encouraged by the aimless meanderings that occupy the riot police while they wait for instructions. We demand to know what we are being charged with. "POSA" we are told. "That is not a charge" we counter but are ignored. Our names, ID numbers and addresses are written down.

After an age we are called up in groups of tens to get finger-printed; I am in the last group by which time the police are tired or the ink/stationery has run out so the last four or five of us are overlooked and we are dispersed in our small groups to sundry points in the car park to sit and wait. We wander unhindered from group to group watched by a minimal police presence; our lawyers join us.

Eventually we are led off to the cells. The women are taken off first to the third floor but the men file into the holding cell - barred at each end and no more than 3 metres wide and maybe 8 metres long. No toilet or water. There is a spreading pool of suspicious liquid oozing from a small cubicle that smears across the central area. We cannot all sit so we take turns to lie, sit and stand. We speculate as to the purpose of the electrical sockets mounted into the roof 3 or 4 metres above our heads. Cell phones hum. Interviews with SABC, BBC, SW Radio Africa take place. A policeman instructs us to turn off our phones; we ignore him but most of us take care to keep them on silent mode.

1am Wednesday

Unfortunately the policeman returns and says we must hand over our phones. We have still not been charged. We file into the property room and hand over our phones and money but not our shoes, socks and belts since they do not have enough kitbags to store our possessions. We pass the time reading the various notices on the wall; we are amused by the instructions regarding cell maintenance, which have been ignored since time began, judging by the condition of the place. A gaping hole in the roof reminds me of the reports of a sewerage build-up in the ceiling cavity that collapsed on top of the hapless police a few weeks before during the detention of the NCA protestors. The story raises chuckles with my colleagues. The police working in such conditions are barely better off than the prisoners; how they put up with life-threateningly unhygienic conditions astounds us but we put it down to the all-pervasive fear of complaining that we Zimbabweans have learnt over many years.

Relieved of phones and cash, we are taken up to the fourth floor into a large room about 12 x 14 metres and 3 m high. It is the day room; a smooth unpolished cement floor, two small open drains next to the concrete columns with shallow pools of water breeding mosquitoes and pipes disgorging the occasional cockroach. The walls and concrete ceiling are distempered; in one area of the ceiling the leaking water has created stalactites about 6 cms long and budding stalagmites below. Four low-wattage fluorescent lights give the appropriate lighting for this minor hellhole. Other light fittings hang useless with dodgy looking wiring or no components.

24/11/03

We are free to wander around the unit, which has five small cells and a shower room. Each cell is about 5 x 2,5 wide with 3 cement bunks, a toilet in the corner with no flush but a tap that splashes to one side and spills onto the floor if it is turned on too high. Some suspicious looking mats and blankets lie around the floor. We do not use these since cell veterans warn of lice and bedbugs and fleas. A policeman later informs us that the blankets also double up as mops to soak up the spillage from the toilet bowls.

We are counted regularly. We must stand up against the wall, no sitting down. They count us twice each time since there are so many.

Food from Nandos courtesy of the ZCTU. Personal supplies from family and friends help tremendously. A carton of fortified fruit juice is especially well received. We eat well - better than the police and certainly better than the non-political detainees, some of whom haven't eaten for 6 days, they claim. The Mayor sends in sadza and relish, thermoses of tea and coffee. I share my Imodium supply with Andy - we are determined not to use the toilets. I am successful and do not have to 'go' for nearly 60 hours! Urinating is bad enough as the stench is overpowering. Thankfully we are never made to sleep in these serious health hazards in spite of rumours that Law & Order have told the wardens to put us in. The evident friction between the two sections manifests itself in many ways.

The women are not so lucky - having been reduced to two articles of clothing each (no socks, no bras no belts) they are kept in a cell on the third floor together with another 5 assorted shoplifters, fraudsters and other common criminals. They tell us that pigeons are nesting in the sinks in their shower room.

The night passes slowly - my soft middle class body is not used to the hard cement floor and, in spite of the valium I managed to bring with me, I become aware of parts of my anatomy I had forgotten about! The swellings from the police baton make moving about a delicate procedure. My smelly trainers pass for a pillow. I have the luxury of a few sheets of the Herald; I am comforted by the knowledge that I am sleeping on the front-page photo of mugabe and Obasanjo. Our action will hopefully ensure that the tyrant is not invited to the Commonwealth meeting in Abuja in December.

Wednesday dawn - light infuses the grey room and creates a surreal tableau. I usually only see the dawn as the tail end of a misspent night!

We sit around the walls on the bare floors. The women join us for meals. The day passes slowly. We talk. We sleep. We eat. I do the crossword - the only worthwhile part of the state's propaganda rag.

Raymond Majongwe declaims some of his stirring poetry. We sing. We dance. The more energetic play 3-a-side soccer using water bottles for goal posts and plastic bags compressed into a ball. The ref's whistling can be heard on the street we later learn.

Our leaders return from Law & Order Section - 48 of us can pay admission of guilt fines for Miscellaneous Offences " conduct likely to lead to a breach of the peace" or perhaps even contravening the Road Traffic Act for "blocking traffic"; the Attorney-General's office has declined to prosecute us under POSA (The Public Order & Security Act). If we do so, we will be released but 4 ZCTU leaders will remain and will be charged under POSA. We decline to leave our colleagues behind and accept that

24/11/03

we will spend a second night in prison. The solidarity lifts our spirits. We have a historic gathering of civil society leaders that reminds some of us of the early NCA days. The police are anxious to know more about this new united front.

Time passes slowly. We have had no real word of the outside reactions - 300 arrests in Mutare, 500 in Bulawayo, COSATU is closing the border, there is a general strike - but we know our colleagues will be spreading the news around the world. Thursday arrives.

We spend a few hours crammed into an office at Law & Order where the police attempt to write "profiles' detailing our personal histories, political affiliations and other information. I refuse and will only give my name, occupation, ID number, and address. If they want to know where I went to school, they can damn well charge me and take me to court. Others refuse also to facilitate the work of the police and eventually we go back to our cell.

The day we know will be decisive but as the day drags on we are apprehensive. We know that we have to appear before a magistrate within 48 hours but the deadline passes. Eventually we are led down to the property office where we sign for our phones and money. Are we to be released or charged? We go out to the courtyard. Lunch from Chicken Inn (oh for some vegetables! A salad!) and then we are convoyed to the magistrates' court. People stare at us from the pavements, slyly giving us the open hand sign or just thumbs up. A few motorists blow their horns.

3.30pm Thursday Magistrates Court

Our friends are gathered on the steps and the sight of our loved ones brings emotions to the surface. Solidarity is strength. We greet and brief each other. Our lawyers debate upstairs with the prosecution. The State cannot decide the charges. 51 hours after our arrest, the four leaders are charged under POSA. After some haggling they are bailed at $20 000. We learn that we are to be charged with the same offence. Free bail the Magistrate says and we erupt in cheers. The police are glum, the magistrate smiles discretely. We are to return in the morning at 11.

We erupt out of the court building into the open air. A joyful celebration of freedom. A convoy of open-backed pick-ups laden with activists hoots and sings its way through town. People look puzzled. Harare CBD doesn't see this except after some soccer victory. A few smile and wave. Past Harvest House, the people shout and wave more enthusiastically, up along Nelson Mandela Ave past Parliament, the street relatively quiet. We have achieved the original destination of Tuesday's march but we don't stop to confront the police since we all want to get to our families.

Then it's home, dump the clothes outside the house and the heaven of hot water and soap. The bed is too soft and I contemplate moving to the bathroom floor as sleep envelops me.

11.00 am Friday

Back to the courts. We are confident. The delay lengthens. Eventually we are before the magistrate. The prosecutor rises. The State withdraws all charges for "lack of evidence" and we are free.

ENDS

24/11/03

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Reaction to the arrests

IOL (SA) 21 Nov 2003-11-22

Harare - State prosecutors dropped all charges on Friday against 52 trade unionists and their supporters, arrested during nationwide demonstrations against President Robert Mugabe's autocratic rule and mounting economic hardships. State attorneys informed Harare magistrate Sukai Tongogara that they had insufficient evidence to press charges against the group under Zimbabwe's sweeping security laws. Nearly 90 people, including 14 labour leaders, were arrested on Tuesday in demonstrations called by the Zimbabwe Congress of Trade Unions and political reform activists. Police had declared the protests illegal. The 52 arrested in the capital, including the federation's top four leaders, were held for two days before they were brought to court. Tongogara released them on condition they appeared in court on Friday to face charges of organising illegal demonstrations, which were later dropped.

Brian Raftopoulos, a spokesperson for those released, said the group will consider filing suit against the police for wrongful arrest and detention. He accused police of using the country's Public Order and Security Act for political ends. "They succeeded in stopping our demonstrations and kept us in detention and off the streets, and maybe that is the aim at the moment," said Raftopoulos, head of the Crisis in Zimbabwe Coalition, an alliance of reform groups. On Thursday, nine protesters were charged with organising an illegal demonstration in the country's second city, Bulawayo, federation officials said. They were released on condition they appear for trial on December 3. More than a dozen others were released without charge on Thursday in the eastern border city of Mutare. Thirteen protesters remained in custody on Friday in the central industrial town of Gweru, as police and prosecutors tried to decide whether to charge them, federation officials said.

Zimbabwe is in the throes of economic and political crisis, with official inflation running at 526 percent and critical shortages of food, gasoline and other imports. The often-violent seizure of white-owned farms for redistribution to impoverished blacks has crippled the agriculture-based economy. Mugabe's government has also stepped up a crackdown on dissent, arresting political opponents, harassing labour groups and shutting down the country's only independent daily newspaper.

ThisDay Nigeria 15:33 22/11/2003

NLC Calls for Release of Detained Labour Leaders
>From Iyefu Adoba and Juliana Taiwo in Abuja

The Nigeria Labour Congress, (NLC), calls on the Zimbabwean President Robert Mugabe to release detained leaders and supporters of the Zimbabwean Congress of Trade Unions, (ZCTU). In a letter sent through the Zimbabwean High Commissioner to Nigeria, Dr. Dube, NLC General Secretary, Mr. John Odah said it was disturbing to hear about the clamp down and detention of over 350 leaders, activists and supporters of the ZCTU. According to Odah, ZCTU President Lovemore Matombo, Vice-President Lucia Mativenga and General Secretary Wellington Chibebe and others are being charged under the "Public Order and Security Act, which the Zimbabwean trade union movement and civil society have found repressive." Reacting to reports of police disruption, brutality and physical assaults on members of ZCTU and civil society activists during marches and gatherings and the subsequent detention of people under very harsh conditions, the NLC entreated Mugabe to grant freedom to the detainees and also to drop the charges invoked under the act immediately and unconditionally. Describing

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the concerns about inflation, taxes and human rights by the ZCTU as legitimate, NLC said "it would be grievously wrong to attempt to criminalise the ZCTU's campaign for public welfare and the activities organised in furtherance of it." The NLC further noted that as a signatory to the UN Declaration on human rights and other international human and workers rights instruments, President Mugabe "is bound to treat workers and citizens justly, humanely, fairly and in accordance with civilized standards and constitutional law, even when they are protesting." Calling for a repeal of the public order and security acts, the NLC also urged Mugabe to take all necessary steps "to address the gaps between the standards of decency prescribed in international law and the treatment of trade unionists and workers currently in Zimbabwe."

Churches And Rights Groups Condemn Arrests
Catholic Information Service for Africa
<
%20Africa&passed_location=Nairobi> (Nairobi)
November 21, 2003
Posted to the web November 21, 2003
Nairobi
The arrests this week of trade unionists in Zimbabwe's capital, Harare, have drawn wrath and condemnation from churches, trade unions, and human rights organizations in and outside the country. More than 100 trade unionists and civil leaders were arrested on Tuesday, November 18, 2003 during a demonstration organized by the Zimbabwe Congress of Trade Unions (ZCTU) to pressurize the autocratic government of President Robert Mugabe to reduce taxes ahead of the presentation of that southern African country's national budget. Organizations that have protested at the arrests include the Harare Ecumenical Working Group, Transparency International and the Zimbabwe National Pastors Conference (ZNPC). Others are the United Nations and the ZCTU itself. Media reports said that 52 of those arrested were released on Thursday, on condition that they return to face charges that by organising an illegal political demonstration, they violated Zimbabwe's strict security laws. In a statement to CISA, the Harare Ecumenical Working Group condemned the detentions and demanded that those arrested be released immediately, saying that the ZCTU Leaders were simply carrying out their legitimate role. "We do not accept any justification for the use of unjust and repressive laws to suppress people's God-given fundamental rights," the Ecumenical Group said. "We therefore demand the immediate release of all Trade Union and civic leaders from detention."
The Zimbabwe National Pastors Conference echoed a similar tone in a statement mailed to CISA. "The Zimbabwe National Pastors Conference strongly condemns the arrest on Tuesday 18th November 2003 of ZCTU leaders and other civil society leaders," said the statement, signed by Pastor Joseph Munemo, Secretary of the Conference.
In a statement issued in Geneva, the United Nations Acting High Commissioner for Human Rights, Bertrand Ramcharan, appealed to the Zimbabwean authorities "to take all necessary measures to guarantee the rights of the detained persons and to secure their right to freedom of opinion and expression, in accordance with the fundamental principles as set forth in the Universal Declaration of Human Rights and reiterated in the international human rights norms and instruments."
In October 2003, the UN also expressed concern regarding the arrest of more than 40 trade unionists during a national protest demonstration.
The Harare Ecumenical Group described the harsh economic conditions Zimbabweans are facing. "Both workers and the unemployed in Zimbabwe can no longer feed their families," they said. "The cost of transport to and from work had become unaffordable. Access to the health delivery system has become an illusion for over 70% of the population because of a severe deterioration of such services and due to

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crippling rate of inflation now at 546%." The Harare Ecumenical Working Group can be contacted via P O Box 1524, Harare; Tel 00263-4-703474/738920; Fax 00263-4-703474.

ZCTU Leaders Granted $50 000 Bail Each
The Herald
<
> (Harare) aka Kunyepa
November 21, 2003
Posted to the web November 21, 2003
Harare
FOUR leaders of the Zimbabwe Congress of Trade Unions (ZCTU) and 48 others who were arrested on Tuesday after allegedly holding an illegal demonstration, were yesterday brought to the Harare Magistrates' Courts on charges of breaching the Public Order and Security Act. ZCTU president Lovemore Matombo, his two deputies Lucia Mativenga and Elias Mlotshwa and the organisation's secretary-general Wellington Chibebe were granted $50 000 bail. Magistrate Ms Sukai Tongagara remanded the four to day when they are expected to make an application to have charges against them dropped. The other 48 who separately appeared before the same magistrate facing similar charges were also remanded out of custody to day.
They include Zimbabwe Progressive Teachers' Association secretary-general Raymond Majongwe and University of Zimbabwe lecturers Brian Raftopoulos, John Makumbe and Lovemore Madhuku. The group was brought to the Rotten Row Courts in six police trucks and were taken into remand Court 6 under heavy police guard. Charges against the group arose on November 11 this year after they allegedly defied an order by the regulating authority, the police, not to hold a demonstration on November 18 this year.
ZCTU had applied to the police to hold a demonstration but the regulating authority for Harare Central District Chief Superintendent Mawira turned down their application. An order prohibiting ZCTU from holding the demonstration was issued in terms of sections of the POSA but they proceeded to hold the demonstration. It is alleged that the group gathered at the State Lottery Hall along Julius Nyerere Way where they intended to march to the offices of the Minister of Finance and Economic Development Cde Herbert Murerwa at Munhumutapa Building along Samora Machel Avenue. The State alleges that the group intended to deliver a petition to Cde Murerwa. The petition stated that the ZCTU wanted the minister to address them over issues that included high taxation, high cost of basic goods and the alleged Government's failure to address macro-economic issues. POSA prohibits the holding of a demonstration without police approval. ZCTU's illegal protests which were supposed to be held countrywide flopped after workers and employers ignored their call.
Zimbabwe Releases 52 Labor Leaders

By ANGUS SHAW Associated Press Writer HARARE, Zimbabwe

A magistrate Thursday freed 52 people, including 14 labor leaders, two days after their arrest during nationwide demonstrations against President Robert Mugabe's autocratic rule and the country's economic hardships. Nearly 90 people were arrested Tuesday, including 52 people arrested in the capital - among them the four top leaders of the Zimbabwe Congress of Trade Unions. The 52 detainees made their first appearance Thursday before Magistrate Sukai Tongogara. Tongogara released them on condition they return Friday to face charges of violating the nation's strict security laws by organizing an illegal political demonstration, said their attorney, Alec Muchadehama. The offense is punishable by up to six months in jail. Union officials said the group's release was delayed by confusion among police and state attorneys about what charges to bring against them. Some members of the group were

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told Wednesday they would be charged with the lesser offense of obstructing traffic in downtown Harare. Labor leaders called for a nationwide strike to protest Tuesday's arrests, but it failed to take hold Thursday. Mlamleli Sibanda, a federation spokesman, said there was insufficient time to mobilize workers. Zimbabwe is in the throes of economic and political crisis with official inflation running at 526 percent, one of the highest levels in the world. Finance Minister Herbert Murerwa gave an even bleaker forecast Thursday as he announced the annual budget, warning inflation could rise to a high of 700 percent in the first quarter of next year before starting to dissipate. Murerwa said government services like health and education declined sharply this year; industry was running at below 50 percent capacity, and most of the country's infrastructure was crumbling. The country also faces a record 13.2 percent decline in the gross domestic product. Opponents blame Mugabe's authoritarian rule, including the often-violent seizure of thousands of white-owned commercial farms for redistribution to impoverished blacks. Murerwa said the government aims to introduce a series of fiscal measures, including government belt-tightening. "The challenges are surmountable," Murerwa said. "It is ... imperative we avoid aborting painful measures" toward recovery.

UN Statement On Trade Union Arrests in Zimbabwe

Media Institute of Southern Africa
<
rica&passed_location=Windhoek> (Windhoek)
November 21, 2003
Posted to the web November 21, 2003
Windhoek
The following statement was issued on 20 November 2003 by acting High Commissioner for Human Rights Bertrand Ramcharan:
"The acting United Nations High Commissioner for Human Rights expresses his concern regarding reports that more than 100 trade unionists and civil leaders have been arrested on 18 November 2003 during a protest demonstration in the capital Harare. Last month, the Commission on Human Rights' Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Ambeyi Ligabo; the Chairperson-Rapporteur of the Commission's Working Group on Arbitrary Detention, Leila Zerrougui, and the Special Representative of the Secretary-General on human rights defenders, Hina Jilani, also expressed concern regarding the arrest of more than forty trade unionists during a national protest demonstration.
The Acting High Commissioner appeals to the Zimbabwean authorities to take all necessary measures to guarantee the rights of the detained persons and to secure their right to freedom of opinion and expression in accordance with the fundamental principles as set forth in the Universal Declaration of Human Rights and reiterated in the international human rights norms and instruments".

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Appendix F

GOVERNMENT OF MALAWI

IMMIGRATION ACT
(CAP. 15:03)

NOTICE TO PROHIBITED IMMIGRANT

File No. lm|HQ|00|167

To MR BRIAN ADAIRE CHRISTOPHER RAFTOPOULOS

at IMMIGRATION HEADQUARTERS

Take notice that permission to enter Malawi or to remain therein is refused to you on the ground that you are a Prohibited Immigrant by reason of the operation of—

*(a) paragraph (   ) of subsection (1) of section 5 of the Immigration Act;
*(b) section 5 (3) of the Immigration Act;
*(c) section 6 of the Immigration Act;
*(d) section 23 of the Immigration Act in that you have *entered/remained in Malawi in contravention of subsection .... 4 1 (H) ....

*Immigration Officer to delete and complete as appropriate.

You are notified that, under the Act you may appeal to the nearest Magistrate's Court—

(a) on the grounds of identity, as provided in section 10 (1) of the Act if you have been alleged to be a Prohibited Immigrant by reason of operation of section 5 (1) (a) or (h) or section 5 (3) of the Act; or

(b) to determine whether or not you are a Prohibited Immigrant if you have been alleged to be a Prohibited Immigrant by reason of the operation of any other provision of the Act.

Such appeal must be noted within three days after this notice has been given and shall be made on Form No. 8 which may be obtained from any Immigration Officer.
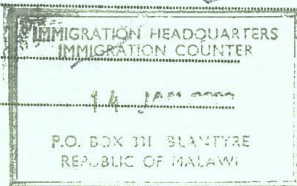
You are hereby ordered to leave Malawi within ...... Now ...... days of the service of this notice and Order on you unless you sooner appeal to a Magistrate, that is by (time) ...... Now ......

on (date) ....

Date ....

Place ....

Immigration Officer

I hereby acknowledge receipt of the notice of which this is a copy, declaring me to be a Prohibited Immigrant to Malawi on the grounds stated therein.

Signature ....

Date ...... 14/1/02 ......

IMM.

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Appendix G

COMPOSITION OF CABINET IN THE INCLUSIVE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE (2009)

R.G. Mugabe
President

J. Msika Vice-President (ZANU-PF)	**M. Tsvangirai** Prime Minister (MDC-T)
J. Mujuru, Vice President (ZANU-PF)	**A. Mutambara** Deputy Prime Minister (MDC-N) **T. Khupe** Deputy Prime Minister (MDC-T)
S. Sekeramayi - Minister of State for National Security in President's Office (ZANU-PF)	**G. Moyo** - Minister of State in the Prime Minister's Office (MDC-T)
D. Mutasa - Minister of State for Presidential Affairs (ZANU-PF)	**S. Holland** - Minister of State in the Prime Minister's Office (MDC-T)
J. Nkomo - Minister of State in the President's Office (ZANU-PF)	**G. Sibanda** - Minister of State in the Deputy Prime Minister's Office (MDC-N)
F. Bhuka - Minister of State in the Vice President's Office (ZANU-PF)	**E.T. Matinenga** - Minister for Constitutional & Parliamentary Affairs (MDC-T)
J.M. Made - Minister for Agriculture, Mechanisation & Irrigation Development (ZANU-PF)	**E.S. Mangoma** - Minister for Economic Planning & Development (MDC-T)
E.D. Mnangagwa - Minister of Defence (ZANU-PF)	**D. Coltart** - Minister for Education, Sport, Arts & Culture (MDC-N)
F.D.C. Nhema - Minister for the Environment & Natural Resources (ZANU-PF)	**E. Mudzuri** - Minister for Energy & Power Development (MDC-T)
S.S. Mumbengegwi - Minister for Foreign Affairs (ZANU-PF)	**T.L. Biti** - Minister for Finance (MDC-T)
I.S.G. Mudenge - Minister for Higher & Tertiary Education (ZANU-PF)	**H. Madzorera** - Minister for Health & Child Welfare (MDC-T)
K.D.C. Mohadi - Co-Minister for Home Affairs (ZANU-PF)	**G. Mutsekwa** - Co-Minister for Home Affairs (MDC-T)
P.A Chinamasa - Minister for Justice & Legal Affairs (ZANU-PF)	**F.G. Mhashu** - Minister for Housing & Social Amenities (MDC-T)
H.M. Murerwa - Minister for Lands & Rural Resettlement (ZANU-PF)	**W. Ncube** - Minister for Industry & Commerce (MDC-N)
I.M. Chombo - Minister for Local Government, Urban & Rural Development (ZANU-PF)	**N. Chamisa** – Minister of Information and Communication Technology (MDC-T)
W.K. Shamu - Minister for the Media, Information & Publicity (ZANU-PF)	**P. Mpariwa-Gwanyanya** - Minister for Labour & Social Welfare (MDC-T)

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O.M. Mpofu - Minister for Mines & Mining Development (ZANU-PF)	**S. Zvidzai -** Minister for Local Government, Urban & Rural Development (MDC-T)
S.G.G. Nyoni - Minister for Small & Medium Enterprises & Co-operative Development (ZANU-PF)	**M. Zwizwai -** Minister for Mines & Mining Development (MDC-T)
W. Mzembi - Minister for Tourism & the Hospitality Industry (ZANU-PF)	**E.G Mukonoweshuro -** Minister for the Public Service (MDC-T)
N.T. Goche - Minister for Transport & Infrastructural Development (ZANU-PF)	**T.M. Makone -** Minister for Public Works (MDC-T)
O.N. Muchena - Minister for Women's Affairs, Gender & Community Development (ZANU-PF)	**P. Misihairabwi-Mushonga -** Minister for Regional Integration & International Co-operation (MDC-N)
S. Kasukuwere - Minister for Youth Development, Indigenisation & Empowerment (ZANU-PF)	**H.A.M. Dzinotyiwei -** Minister for Science & Technology (MDC-T)
Undenge - Deputy Minister for Economic Planning & Development (ZANU-PF)	**G.J. Gabuza -** Minister for State Enterprises & Parastatals (MDC-T)
S. H.M. Nyanhongo - Deputy Minister for Energy & Power Development (ZANU-PF)	**S.S. Nkomo -** Minister for Water Resources & Development (MDC-T)
D.T. Mombeshora - Deputy Minister for Health & Child Welfare (ZANU-PF)	**M.M. Ndlovu -** Deputy Minister for Foreign Affairs (MDC-N)
M.C. Bimha - Deputy Minister for Industry & Commerce (ZANU-PF)	**J.F. Majome -** Deputy Minister for Justice & Legal (MDC-T)
T. Mutinhiri - Deputy Minister for Labour & Social Welfare (ZANU-PF)	**J.Z Timba -** Deputy Minister for the Media, Information & Publicity (MDC-T)
A. Langa - Deputy Minister for the Public Service (ZANU-PF)	**T. Mudzingwa -** Deputy Minister for Transport & Infrastructural Development (MDC-T)
A. Georgias - Deputy Minister for Public Works (ZANU-PF)	**E.P. Masaiti -** Deputy Minister for Women's Affairs, Gender & Community Development (MDC-T)
R. Marumahoko - Deputy Minister for Regional Integration & International Co-operation (ZANU-PF)	
W.K. Chidhakwa - Deputy Minister for State Enterprises & Parastatals (ZANU-PF)	

(Source: zimembassy.se: 2009)

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