

# The State of Democratic Consolidation in Zimbabwe: Continuity or Change?

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## ABSTRACT

The 37-year rule of Robert Mugabe in Zimbabwe was characterised by allegations of repression, human rights abuses, politicisation of the judicial system and militarisation of elections. The ushering of a supposedly new dispensation under President Mnangagwa following a coup d'état dubbed as Operation Restore Legacy that ousted Robert Mugabe in 2017, brought cautious optimism that a more liberal democratic era would prevail. Mnangagwa openly declared 2017 as the beginning of a second republic, which largely suggested change or transition was coming as he termed it the 'New Dawn'. Almost four years since his ascent to power, much still remains to be desired. Through a combination of in-depth interviews, observational studies, review of media publications, journal articles and books, this study interrogates the state of democratic consolidation in Zimbabwe from Mugabe to Mnangagwa. The study reveals that while civil society organizations utilised various strategies in their quest to consolidate democracy in Zimbabwe, there was a strong push back from the state administration under the Mugabe regime, and an even stronger resistance from the current Mnangagwa government which continued in the footsteps of its predecessor.

**Keywords:** consolidation, civil society, democracy, repressive politics, legislation, elections, human rights.

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## I. INTRODUCTION

Soon after independence in 1980, Zimbabwe was feted as a "jewel in Africa" which meant the country had inherited a fairly good economy with a well-developed infrastructure among other things. However, under the leadership of Robert Mugabe three decades later, the country transcended to being a "pale shadow of itself" (Moretti, 2017:5). Mugabe's regime turned out to be authoritarian, showing disregard for democratic procedures and institutions. Bratton *et al* (2008:42) described Mugabe's regime as 'a militarized form of electoral authoritarianism'. Similarly, Gumede (2007:12) affirms that Mugabe and the Zimbabwe African National Union-Patriotic Front (ZANU-PF) became "the symbol of the descent of African liberation movements into brutal dictatorships". Mugabe and his party had the conviction that ZANU-PF would rule permanently hence the use of violence and repression. This led to a collapse of the relationship that had existed between the government and the citizenry. Sachikonye (2003:99) alludes that political developments in Zimbabwe had largely been played in what is known as "neo-patrimonial political system in which autocracy is a distinctive feature of the style of rule of President Mugabe".

However, Mugabe's rule came to an abrupt end in November 2017 after a coup d'état from his once right hand man, Emmerson Mnangagwa, who subsequently took over the reigns of power. The need to consolidate democracy led citizens, activists and political parties to clamour for change. Therefore, Mnangagwa's coming into power was met with great optimism from both young and old. This paper serves to determine if there is any continuity or changes in terms of consolidating democracy from Mugabe's administration to Mnangagwa's.

## **THE CHALLENGE OF CONSOLIDATING DEMOCRACY IN AFRICA**

Since 1990, most African countries embraced democracy although with different levels of practice. For African countries to be able to consolidate democracy there are about five interrelated and equally strengthening conditions that should be met. Firstly, the conditions must exist for development of a free and lively civil society. Secondly, there must be a fairly independent political society. Thirdly, there must be a rule of law which guarantees citizens their freedom and independent associational life. Fourthly, there must be a state bureaucracy that is usable by the new democratic government. Last but not least, there must be an institutionalised economic society (Linz & Stephan in Lubinga, 2014:34). Unfortunately, military coups d'état, authoritarianism and life-serving presidents are the norm in Africa. Nwoye (2018) argues that "the military culture of arbitrariness, command and obey syndrome, intemperate language, total absence of debate, intimidation of civil society, disregard of civil rights, absence of the rule of law and due process, and the emasculation of the judiciary has left an intolerant political environment".

Most African states have to a certain extent, upheld some of the above mentioned conditions needed to consolidate democracy. They have thus far, committed to conducting elections periodically in most states with a few exceptions like Somalia which last had its one-person one –vote elections back in 1969 (News Agencies, 2021). Despite having countries like South Africa, Botswana, Ghana, Namibia and Mauritius that have shown a high preference for democracy, Africa is still battling with challenges when it comes to democratic consolidation. Challenges vary from country to country with authoritarianism, legislation changes, repression towards citizens and terrorism as some of the most notable challenges that makes consolidating democracy difficult.

Authoritarianism is ingrained in countries like Uganda, Cameroon, and Swaziland and has been replicated in states like Eritrea, Equatorial Guinea and the Democratic Republic of Congo. It has been used as a weapon to stifle any oppositional competition, to shut down any dissenting voices and above all to perpetuate the regimes of long-serving rulers. Authoritarianism has often worked alongside state security and having repressive legislations which have been only detrimental to efforts put towards consolidating democracy. A change to legislation, especially presidential term in order to extend their stay in power is another challenge. Like in the case of Ivory Coast's President, Alassane Ouattara, who made changes to the country's Constitution to remain in office and is currently serving his third term (Tadjo et al, 2020). Some countries like Uganda, Guinea, Chad and Gabon among others changed their presidential limits to reset the clock for those in power. Terrorism is another hindrance with terror groups like Boko Haram in Nigeria and an Islam insurgent in Mozambique are a setback to both countries as their attacks thwarts any efforts to consolidate democracy.

However, the consolidation of democracy relies on the ability and willingness of citizens to defend civil liberties from encroachment by the government. At a more concrete level, civil society is the platform of voluntary associational life. Gazibo (2016:39) proclaimed that "African citizens are not mere recipients of change but active participants in cultivating democracy". An active civil society plays a role in advancing democracy by providing a base for legitimising democratic rule. Civil society helps discipline the state, ensures that citizens' interests are taken seriously and above all fosters greater civic and political participation (Jaysawal, 2013:4).

## **ROLE OF CSOS IN CONSOLIDATING DEMOCRACY IN ZIMBABWE**

The concept of civil society can be traced back to the age of enlightenment and the ideas and thoughts of many political thinkers, among them Locke, Montesquieu, Hobbes, Ferguson, Marx, de Tocqueville and Gramsci. They have conceptualised 'civil society' in different ways, making it a contested concept in academic literature. The London School of Economics gives one of the most comprehensive definitions of civil society. According to the London School of Economics (2006), civil society refers to

"The arena of uncoerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family, and market, though, in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy, and power. Civil societies are often populated by organisations such as registered charities, development non-governmental organisations, community groups, women's organisations, faith-based organisations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups".

Development of CSOs in Zimbabwe mirrors that of other African countries. The dawn of civil society in Zimbabwe formerly known as Rhodesia dates back to the late 20th century when the two main indigenous groups, comprising the Shona and Ndebele people, formed a resistance against the colonial government by creating associational groups. Recreational groups such as soccer clubs, theatre and music groups and burial associations formed the early civil society development in Zimbabwe. Associative organisations of various

kinds like political, trade union, home movement, Bantu Congress and other associations were formed back in the 1930s (Kabemba *et al*, 2005:63).

These organisations created a foundation for labour mobilisation under trade union movements in urban areas. In 1948, a general strike organised by railway workers signalled the advent of organised labour movements in Zimbabwe (Kabemba *et al*, 2005:63). The essence of Rhodesia's policies around 1965 was to criminalise politics, especially in Black communities. This actually meant that criminalising political activities diminished prospects of having a functional civil society. Moyo (1993:6) argued that "for Blacks in Rhodesia, political activity became a clandestine affair as they were forced to organise and coordinate their affairs behind closed doors and usually under life-threatening conditions". During the colonial period, CSOs such as student groups, community organisations and trade unions that were rife in the Black communities were crushed in a bid to relegate them into political irrelevance. Instead, these movements progressively developed political muscle and ultimately became an important force within the national liberation movement. Hence the relationship between the state and civil society became confrontational and hostile as CSOs after independence pressurised the governments to open space for democratic governance. This was because of the important role civil society played during the nationalist struggles against colonialism (Bujra *et al*, 2003).

When Zimbabwe achieved independence in 1980, the political space was inhabited by a weak civil society. After independence, calls for unity did not allow the flourishing of civil society. Any organisation that attempted to oppose the government's way of doing things ran the risk of being accused of dividing the country. Zimbabwean CSOs soon found themselves under pressure from the ZANU-PF government which wanted to consolidate its support base by controlling labour, women's and students' movements (Kabemba *et al*, 2005:63). The ruling party, ZANU-PF, took advantage and claimed to be the umbrella organisation of all social movements. Subsequently, ZANU-PF went on to challenge CSOs to consider co-opting with the ruling party to show their patriotic commitment (Moyo, 1993:7).

Moyo (1993:7) went on to explain that "social groups which tried to resist ZANU (PF)'s tactic of exclusion by inclusion under the guise of 'one state, one society, one nation, one leader', were branded as sell-outs bent on working for 'the enemy' as the ruling party publicly touted its commitment to a legislated one-party state, especially between 1980 and 1990". Hence, political independence in Zimbabwe liberated only one part of the state, the government bureaucracy and political leadership which became Black, or actually ZANU-PF. This led to the diminishing of most CSOs that refused to co-opt with the government because there was no more space for independent action.

The end of the Cold War saw Zimbabwe's CSOs' post-independence bloom in the 1990s as civic activism grew and the pressure was building up for reforms to take place from one-party states and military rule to multi-party democratic states. After independence, Zimbabwe focused on nation building which down the line became an instrument of domination and absolute control by the ZANU-PF, leading to the marginalisation of popular participation. Maseng (2010:46) stated that "the marginalisation of popular participation meant that the post-independence Zimbabwean state failed to meet some determinants of democratisation and good governance such as the expansion of political space for multiple actors to interact and the decentralisation of decision-making systems". The spaces opened up for political participation in the 1990s meant that the emergence of independent CSOs would nurture the idea of political pluralism.

Living standards of the Zimbabwean population rapidly declined in the 1990s when the Economic Structural Adjustment Programme (ESAP) was launched. This led to social unrest as CSOs began to challenge the state due to their failure to achieve sustainable development. The ESAP triggered further hostile state-civil society relations in Zimbabwe (Kabemba *et al*, 2005:64). CSOs, in particular the students and the labour movements, became significant drivers for a more democratic Zimbabwe. It is for this reason that Kambeba *et al*. (2005:64) declared that "civil society became increasingly politically active and developed a more confrontational approach when engaging the government". Consequently, Zimbabweans witnessed the bond between the government and CSOs becoming increasingly antagonistic. The ZANU-PF became uncomfortable with CSOs advocating for democracy.

In 1998 and 1999, more CSOs emerged such as those aimed at promoting various forms of institutionalisation and to change the political landscape in Zimbabwe. These included forums, women's coalitions and the most significant was the National Constitutional Assembly (NCA), which comprised 135 CSOs (Zhou, 2014:50). The NCA challenged the state on constitutional reform and this led ZANU-PF to resent the organisation (Kambeba *et al*, 2005:64). During the period between 1996 and 1998, Zimbabwe experienced protests, strikes and campaigns by Zimbabwe National Students Union (ZINASU) and workers which were openly against the government. The Zimbabwe Congress of Trade Unions (ZCTU) labour movement forged links with CSOs through the NCA in the quest for a democratic dispensation. The involvement of ZINASU, ZCTU, and NCA in led to the formation of the Movement for Democratic Change (MDC) in 1999 an opposition political party (Zeilig, 2010).

In 2000, there were about 850 CSOs that covered different sectors like governance, human rights, civic education, media, faith-based organisations, women's organisations and gender, labour unions and lastly professional associations. CSOs that cover governance are preoccupied with democracy, political and civil rights, constitutional reform and citizen participation e.g. Foundation for Democracy in Zimbabwe (FODEZI). Those CSOs that deal with human rights deal with violation and abuse of human rights by the state or its agents and seek to redress these issues, e.g. Catholic Commission for Justice and Peace (CCJP) (Zimbabwe Institute, 2008:22). A greater number of CSOs that were formed during Mugabe's days are still in existence and now operate under Mnangagwa's helm; these include CCJP, NCA, ZINASU, Tajamuka/Sesijikile, and Zimbabwe Lawyers for Human Rights, Zimbabwe Peace Project, and Hash-tag This Flag among others. These CSOs brought about change to previously marginalised groups. CSOs then had a good relationship with the government because they worked in close collaboration. Masunungure (2014:9) asserted that "in the eyes of the post-independence government, the regime viewed them as allies or partners in development". They often fill a vacuum left by the government, for instance by providing welfare, educational or health services.

CSOs often build up an expansive alliance that pushes an authoritarian state into making significant reforms (Makumbe, 2012:3). Civil society organisations play a significant role in sustaining internal pressures to transform even as the international community pressures African governments at the state level. Mentan (2010:294) reiterates that "it was often the resourcefulness, dedication, and tenacity of domestic civil society that initiated and sustained the process of transition to democratic governance". Moreover, civil society strengthens the state by contributing to good governance and democracy acting as a watchdog. Information gathered from respondents during primary data collection showed that CSOs in Zimbabwe continue to make concerted efforts that exert pressure on the government to consolidate democracy as the desired end result. They have educated and shaped citizens' opinions, reported and raised awareness on political activities especially those that violate human rights. They have demonstrated drawing media attention and played their watch dog role amidst the difficult conditions they are exposed and operate within.

Civil society's oppositional role is viewed as an effective strategy for dealing with intransigent governments. Diamond (2016:119) argues that "we need to think about the features of civil society that are most likely to serve the development and consolidation of democracy". Governments with enormous powers to control the socioeconomic life of their citizens are feeling the greater pushback from civil society. Although democracy is threatened, authoritarian regimes do not easily succumb to this pressure put forth by CSOs. These authoritarian leaders are able to increase their political authority by manipulating electoral norms, curbing dissent, limiting freedom of speech and amending the constitution to prolong their terms in office. All this is done within the legal framework of a democratic system (Burcher, 2017:70). This has been the case in Zimbabwe, a country that has had one party dominating since its independence in 1980 coupled with an economic crisis, high unemployment rates and decay in public service delivery over the years. This is why CSOs have been very vocal in mobilising citizens and calling for the ZANU-PF regime to respect citizens' human rights and restore the rule of law. Democracy definitely has its own defenders, one of which is a genuinely independent civil society, whose essence is said to consist in its capacity to resist state authoritarianism or totalitarianism. CSOs are more openly playing their watch-dog role and are considered as genuine tools for democratic consolidation.

### **TILLY'S THEORY ON REPRESSION AND MOBILIZATION**

Tilly (1978:100) defined repression as "any action by state authorities that raises the costs of extreme right collective action". Repression is viewed as an obstacle by the state carried out by its agents and the worst form of repression is when deadly direct force is used (McPhail *et al*, 2005:3). Tilly argued that repression can sometimes trigger mobilization; it is also capable to thwart any kind of action and plays a role in repertoires of collective action (Combes *et al*, 2011:1). This is because Tilly had an interest in social movements which includes CSOs and how they challenged the state. Repression to Tilly was a political opportunity that sparked off mobilization by CSOs for collective action. Tilly argued that repression from the state and dissent from CSOs were closely connected with one another. This is because if a government is repressive towards its citizens that will prompt collective action from CSOs. Equally if CSOs are dissenting the government will react in a repressive manner. Tilly believed that repression by the government varies from country to country based on the type of government that functions within those states. To him, a democratic state would be less repressive as compared to a totalitarian or authoritarian government.

Davenport elucidated what Tilly meant by repression varying between countries. Davenport (2009:380) states that "tolerant governments would be associated with democracies as tolerance is one of the defining characteristics of this regime type, totalitarian governments would be identified by the same name, repressive governments would likely be categorised as authoritarian in nature and weak governments would likely be those either being built or collapsing". In Authoritarian or Totalitarian regimes they believe the use of repression precludes any public protest. This is the political opportunity alluded to by Tilly which actually pushes CSOs to

dissent and challenge the state over infringing human rights. When CSOs are legitimately protesting and restrictions are put in place, it becomes a political opportunity for them to escalate their protests. If a CSO action receives public support and masses of citizens join in, it becomes difficult for the state to deter them unless deadly force is utilised. Therefore, repression does not always guarantee there will be political order in a state.

In Africa, governments use different actions to counteract overt collective challenges carried out especially by CSO's, opposition political parties or ordinary citizens. A government would strive to maintain political order when collective action takes place and the most common action they take is the use of repression. Most African governments mostly choose repression because authoritarian type of government dominates more than democratic form of government. Citizens will mobilize when they feel they are exposed to unjust conditions like poverty, economic inequality, ethnic marginalisation and government hostility among other pushing conditions. Not so long ago we witnessed citizens in Swaziland challenging the status quo by collective action. Collective action requires preparation and needs strategies in place as the state is always ready to counter any action they feel is threatening. Therefore, the state under King Mswati's guidance retaliated to citizens' collective action by using deadly repressive measures which left a number of citizens dead. Zimbabwean CSOs having been mobilizing citizens to join their collective action demanding the consolidation of democracy from the state during Mugabe's tenure and now under Mnangagwa. However, both Mugabe and Mnangagwa have been repressive towards such actions from CSOs.

Mugabe and Mnangagwa chose repression because repression for them was/ is a means to ensure political survival and a valuable weapon for an authoritarian leader. Tilly's theory on political process actually looks at what drives social movements but also looked at repression from the state as one of the most important aspects that contribute as a political opportunity for CSO's to be functional. Tilly in Davenport (2009: 378) stated that "repression includes events such as banning political parties, using informants and agents' provocateur, censoring newspapers, arresting dissidents, torture, disappearances and mass killings". Based on Tilly's assumptions, CSO's try to quell or put a stop to such repression acts and on the other hand repression is a strategy used by government which Mugabe used and Mnangagwa currently uses to control citizens. Tilly (1978, 2003) argued that "dissent and repression were intricately connected". Dissents are efforts to disrupt or change the status quo whilst repression is to stabilise and maintain it (Davenport, 2009: 379). To Mugabe and Mnangagwa, repression was/is a repertoire of socio-political strategies whereas marches, boycotts, occupations among others are also repertoires of contention for CSO's and citizens. Repression might lessen dissent by leading those dissenting to disintegrate and defect as it scares them away. Then again, repression can increase dissent by leading government division within officials and increases desire for CSOs to endure and fight on (Tilly, 2005: 224). In the case of Zimbabwe, repression has so far scared away citizens and disintegrated CSOs instead of CSOs collective actions weakening the government. Below are different indicators of how repressive Zimbabwe's government has been under Mugabe and Mnangagwa's leadership respectively.

## **II. THE REPRESSIVE CIVIL SOCIETY SPACE IN ZIMBABWE**

### ***Repressive politics***

The Cambridge dictionary loosely defines repression as the use of force or violence to control a group of people. deMeritt (2016) stated that "repression involves the threat to or actual use of physical force to achieve political goals". Repressive politics often violate fundamental human rights as a way of maintaining political control. Globally, agents of repression used by the state are the police, military forces or the militia and hired mercenaries. Repressive politics has been carried out through the partisan use of state security forces and having repressive legislations. The security forces in Zimbabwe comprise of Zimbabwe Republic Police (ZRP), Zimbabwe Defence Force (ZDF), the Central Intelligence Organisation (CIO) and the Joint Operations Command (JOC). They have had a history of partisanship on behalf of Mugabe and the ZANU-PF and even go as far as pledging allegiance to the party. At one point the then commander of the ZDF, General Vitalis Zvinavashe, flanked by commanders of ZNA, the ZRP and with the directors of CIO acquiescently announced their loyalty to ZANU-PF as a political party (Ndlovu-Gatsheni, 2009:226). Pledging of allegiance had now become a norm for state security personnel in high echelons and ultimately everything they did was biased in favour of Mugabe and ZANU-PF party.

The prejudice of the security forces turned into abuses against CSOs, opposition parties and citizens. The ZRP force had on numerous times obliged to the interests of Mugabe and the ZANU-PF. These purportedly law enforcement officers disregarded their powers and illogically used excessive force against CSOs who are defenders of human rights, members of the opposition political parties, lawyers for human rights and ordinary citizens. Chitimira *et al* (2016:17) reiterated that "the ZRP was associated with the arbitrary use of excessive force and numerous cases of torture, assault and violence against human rights activists and defenders, members of opposition political parties, and those who criticized government policies". The involvement of the ZRP in the violation of human rights in Zimbabwe was not unintentional because the then Commissioner of Police

Augustine Chihuri was a strong ZANU-PF supporter who was loyal to both Mugabe and the party. Compagnon (2011:70) asserts that “the commissioner of police, Augustine Chihuri, himself a former combatant in the liberation war, claimed in January 2001 that he was a ZANU-PF member”. For that reason, there was the deliberate partisan use of force in stopping anyone who was against Mugabe and the party. However, the mentioning of ZRP brings a bitter social discussion over how they selectively applied the law.

ZDF during Mugabe’s tenure was under a ZANU-PF member, General Constantino Chiwenga who was the ZDF Commander and currently one of the vice-presidents of the country. Their local operations mostly showed their support for Mugabe and ZANU-PF. Senior members of the ZDF have been directly or indirectly involved in different acts of torture-related political violence against citizens, activists and members of the opposition parties during general elections of 2008 and 2013 in Zimbabwe. This is because ZDF leaders had openly pledged their allegiance to Mugabe and the ruling party ZANU-PF, showing their strong partisanship for the ruling party. Their allegiance was so far stretched to an extent of being present at annual party conferences of ZANU-PF, an act that contravened what is enshrined in the Constitution about the ZDF. The ZDF therefore played a major role when it came to helping Mugabe consolidate power instead of consolidating democracy.

The CIO an intelligence organ was formed in 1963 during the colonial Rhodesian era. Tendi (2016:7) asserts that “from inception, CIO was highly politicized because one of its functions was to act as a political instrument in the colonial state’s resistance against pressure for black majority rule”. After independence, the organisation was assimilated into the new Zimbabwe and unfortunately, they even integrated the politicization of the organisation. CIO got worse under Mugabe as it was militarised and was then being directed by Retired Major General Happyton Bonyongwe since 2003. The CIO, together with the ZRP and ZDF have been involved in the kidnappings, tormenting, beatings, and harassment of professed ZANU-PF opponents mainly civil society and MDC followers. The CIO was for spying purposes especially during the Government of National Unity (GNU) period from 2009-2013. The CIO hoped to gain inside information that would help Mugabe and ZANU-PF gain control of those government structures.

Lastly, the Joint Operations Command (JOC) was formed in 2000 as an apolitical unit. JOC a high-level decision making body brought together the Commander of ZDF, Commissioner-General of the ZRP, Director-General of CIO and further added representatives of the Zimbabwe National Liberation War Veterans Association (ZNLWVA) and Emmerson Mnangagwa who was then the vice-president and Minister of Defence Forces. JOC politicized state securities and made them to be troopers of Mugabe and the ZANU-PF. This was a pure violation of the existing constitutional framework under which state security personnel are forbidden from active participation in politics as organised units. JOC was all about ensuring the survival of Mugabe and ZANU-PF.

JOC was behind the planning and execution of Operation Makavhoterapapi (Operation whom did you vote for). The strategy to the campaign Operation Makavhoterapapi was coined around what they code-named CIBD (Coercion, Intimidation, Beating and Displacement). The whole operation was to identify and punish individuals who voted against Mugabe during the March 2008 elections. Masunungure in Sachikonye (2011:49) affirmed that “it began in the rural areas... violence spread to other provinces and from rural areas spread to urban centres. In a tragic sense, the whole country was unified, in violence, and its pattern was the same, indicating a central point of organisation and execution”. JOC was now the real power behind Mugabe and its aim was to have a submissive civil society. Mugabe’s administration allowed these security forces to instil a culture of impunity within their various organisations and in exchange subjected CSOs and citizens to torture. These security forces derailed any efforts made to consolidate democracy.

The state under Mnangagwa’s administration has witnessed an escalation in repressive politics. Abduction and torture cases of those who critique his presidency and government are on the rise. Those responsible are personnel within the state security agents. Mnangagwa has never fallen short of calling names those who critique him, Mavhinga (2020) elucidated that “Mnangagwa has publicly denounced his critics, describing them as a few rogue Zimbabweans”. Repression to him is to correct the “rogue Zimbabweans”. Political repression is not new even under Mnangagwa’s administration, once a right-hand man and confidant of Mugabe who was in charge of JOC which was known for its ruthless repression towards CSOs and citizens. Therefore, repression under him is a mere continuation of acts that he has been accustomed to whilst under Mugabe. Now that he has all the power as the number one citizen he is now showing his true colours and being brutal at lengths that are more despicable unlike when he was under Mugabe. It is hardly four years that he has been in power but more than 20 people have been shot dead and a whole lot more have been jailed from CSO’s leaders, members of the opposition, student leaders as well as citizens. Pigou (2019) mentioned that “second day of protests on 15 January, Zimbabwe’s Doctors for Human Rights released a statement saying hundreds shot, tens estimated dead in rampant rights violations across Zimbabwe”. Compared to his predecessor, Mnangagwa is in many ways governing in a more repressive manner. Mnangagwa has proved to be an authoritarian leader, a characteristic that was identified by Tilly as one that is most likely to use punitive repressive measures to ensure there is political order and averting any collective action.

The military is on the ascendancy even more although they have always been a prominent part of Zimbabwe's politics. It is under Mnangagwa's administration that he gave the vice-president post to a former military General, Constantino Chiwenga as a token of his appreciation for the role he played during the ouster of Mugabe. Mnangagwa deliberately elevated the role of the military because that is where most of his allies are unlike the police and CIO which were mostly used by Mugabe. The police and CIO have relatively lost their influence under the new regime. Basically, Mnangagwa and the military are like conjoined twins. Mnangagwa's governing is in many ways more repressive than Mugabe's. All that Mnangagwa promised to change turned to be nothing but a pipe dream.

### ***Repressive legislations***

Repressive legislations are laws that put unreasonable restrictions on citizen's freedoms. Zimbabwe has experienced incomparable economic, social and political changes. These changes saw the enactment of new legislation and in some cases the amendment of existing law. Most of the changes were detrimental to the citizens who had over the years become impatient with the deterioration of democracy. Citizen participation especially politically was now guided by partisan pieces of law. These laws instead of protecting the populace rather limited human rights (Mapuva *et al*, 2012:127). Some of these laws include Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act (AIPPA) among others. POSA forbids being disrespectful towards the office or person of the President, expressing words which are likely to challenge regulating authority and communicating falsehood prejudicial information to the state. Such laws made individuals and organisations to censor themselves or engage in selective and thorough appraisals before communicating any information in the public sphere (Asylum Research Consultancy, 2015). Citizens who rebelled or defied against POSA or AIPPA faced the full might of the law with dire consequences.

AIPPA oversees the operations and general conduct of the media in a way that leaves the media with little space to do their work. Such repressive legislations meant Mugabe's administration was no longer accountable or transparent in their actions because they chose and publicised what they felt was worth sharing with the citizens. Ironically, part two sections 62 (1) of the Constitution of Zimbabwe 2013 lucidly states that "Every Zimbabwean citizen or permanent resident, including juristic persons and the Zimbabwean media, has the right of access to any information held by the State or by any institution or agency of government at every level". Beyond 2000, CSOs saw the enactment of laws that sought to close down democratic space and limit CSOs operations. According to Chingono (2010:199), "never in the history of Zimbabwe had there been so much clamouring for a redress in human rights abuses and the absence of democracy than in the period after 2000". The purpose of passing these laws was supposed to be for creating an atmosphere for CSOs to operate and to protect the liberties enshrined in the Constitution. Muzondo (2007:1) stated that the laws that were enacted included "the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act (POSA) and Broadcasting Services Act (BSA)". POSA affected opposition parties, CSOs, and the media. The act forbade criticism of the president, gave the police powers to control or prohibit public assembly. Above all, it had unprecedented provisions of sternly limiting freedom of speech, expression, and association which are ironically assured in the Zimbabwean Constitution. On the other hand, AIPPA had a bearing on the licensing of media houses and journalists and had provisions for punishments to be rendered for any false publications (Kabemba *et al*, 2005:70). In this case, these laws effectively banned CSOs from playing a role in the democratisation process and suppressed key liberties.

AIPPA became an oppressive law that controlled the media and political meetings such as rallies and any gatherings were also stifled through POSA (Matombo *et al*, 2010: 118). In essence, through its legislations, Zimbabwe has been a repressive country towards CSOs. As a result, the role of CSOs being able to hold the government to account has been largely ineffective. CSOs have thus experienced political repression ever since the introduction of the AIPPA, POSA, and BSA. These laws actually facilitated state harassment and coercion as CSOs in Zimbabwe are viewed as incubators for a new breed of opposition politicians that had strong roots either from the workplace or the communities at large (Matombo *et al*, 2010:118). Mugabe through POSA and AIPPA denied citizens the right to express themselves and that any vital information could be withheld from the public. Mugabe and his administration intercepted or concealed any meaningful information that would either unravel any maladministration practices by him and his regime.

Mnangagwa took steps to repeal and replace POSA and AIPPA but still continued to violently suppress CSOs and political protests and the media is still biased towards ZANU-PF the ruling party. Noyes (2020:9) argued that "none of the ten major legislative reforms that the government had promised had been fully implemented". Some of the bills that were to be reformed include security, media and constitutional court among others. As much as he had promised to make notable changes on repressive laws, ironically his cabinet approved a proposed legislation which made protesting a crime and by so doing CSOs cannot publicly assemble. Therefore, no collective action can be carried by CSOs under such repressive and limiting conditions. The Information Minister Monica Mutsvangwa was quoted by Mutsaka (2020) saying "actions that will become

punishable include planned and timed protests”. Such an utterance was clearly directed at mainly CSOs and opposition parties that are all capable of mobilizing the masses to protest .Again, Mutsaka (2020) stated that “Mnangagwa said plans were underway to amend the law governing non-governmental organizations, which he accused of operating outside their mandate and out of sync with his administration”. CSOs have always been viewed as organisations that are pro-West which make them to be labelled as being out of sync with the government. Mnangagwa’s government threatened to deregister CSOs that were suspected of pushing hidden agendas of the West. The fact that Mnangagwa’s government is dominated by ZANU-PF officials makes it easy for them to propose and amend legislations willy-nilly.

Wheeldon (2020) confirms Mutsaka’s statement by quoting what Mnangagwa said in one of his speeches to the nation on the 4<sup>th</sup> of August of 2020, he said “Mnangagwa declared that his government is facing many hurdles and attacks and that the bad apples who have attempted to divide our people and to weaken our system will be flushed out”. This shows why Mnangagwa’s cabinet went on to propose and sign new laws by repealing Public Order and Security Act and replacing it with Maintenance of Peace and Order (MOPA). This new legislation is even stricter than POSA especially on the freedom to assemble which would target getting rid of collective action by CSOs. This is a well calculated move because the plan is simply to shut down any dissenting voice. This is because CSOs are at the fore-front in exposing how repressive their government is and how it negates any attempts of engagements from these organisations.

### ***Human rights abuse***

Human right abuse is when civil and political rights are violated by those in authority especially those who yield political power. Abuse of human rights can be physically violent or not, police brutality on civilians is one form of physical human rights abuse while a delay in fair trials at courts is a non-violent type of abuse (Amnesty International, 2014). The political climate during Mugabe’s tenure in office was not conducive for any positive development to take place. The researcher observed that elections were highly manipulated and always accompanied by violence against citizens. Given the history of electoral violence and intimidation, Masunungure *et al* (2012:17) argued that “the Zimbabwean electorate yearns for free, fair and credible elections that produce an uncontested outcome”. Human rights abuses have diminished political participation by citizens and CSOs, shaping a fearful citizenry which is one of the major reasons why Mugabe had to take the exit door. There was a restriction on press freedom, curtailed freedom of expression as well as harassment of opposition party leaders and the civilians. Masunungure *et al* (2012:17) reinforced this claim and stated that “every dimension of political liberties has registered a steep decline, with people feeling the sharpest decline in respect of freedom of speech”. The confidence in democratic liberties was being gradually replaced by a resurgence of political fear. This was confirmed when people had to be conscious of what they said politically and to who they talked too.

Serious concerns remained, including political violence, and harassment of political opposition, journalists, judges, human rights defenders and ordinary citizens. Many international human rights indicators ranked Zimbabwe among the worst countries in the world in terms of violations of civil liberties, political rights and press freedoms (Zimbabwe Peace Project, 2014). In 2016, there was a new wave of protests that took place whereby citizens engaged in social movements such as the hash tag This Flag (#ThisFlag) led by Pastor Evan Mawarire and the hash tag Tajamuka/Sesijikile (#Tajamuka/Sesijikile) led by Promise Mkhwananzi, among other protests. These protests were mainly against the deteriorating economic conditions. Both these movements vowed not to stop protesting till Mugabe stepped down (Zimbabwe Human Rights NGO Forum, 2017:1). Again in August of 2016 thousands of people took to the streets calling for Mugabe to step down and asking his regime to address the economic situation that had pushed millions of Zimbabweans under the poverty line. The protest quickly spread to other parts of the country Bulawayo, Masvingo, Gweru and Kwekwe. However, these protests where met with brutal repression from the police consequentially ending in fierce clashes with police (Moretti, 2017:23). Scores of unarmed civilians were beaten and some arrested, in the process some managed to capture and well documented police brutality which circulated on different social media sites.

Human rights abuse continued under Mnangagwa, abductions, arrests and torture against CSOs, members of the opposition party, student and union leaders. State security agents are at the centre of all human abuse in the country. Matamadanda the deputy defence minister was quoted in Smith *et al* (2020) saying “I told other people that if you are a sell out this country has something that it will do to you. You will disappear without anyone touching you. This country will deal with you mysteriously”. The researcher observed that CSOs and in particular activists like the novelist and award-winning writer Tsitsi Dangarembga have been arrested for peacefully demonstrating against Mnangagwa’s government. Prominent journalists have not been spared either like Hopewell Chin’ono and Mduduzi Mathuthu. Hopewell Chin’ono has time and again been arrested for protesting against corruption and for some of the information he has shared on his Twitter handle. This has stifled any freedom of expression and speech, some ordinary citizens have also been arrested for distributing messages on WhatsApp criticising or showing how incompetent Mnangagwa’s government is.

Mduduzi Mathuthu's house was raided by the state security who upon not finding him took his sister and three nephews into custody with the hope that the journalist would turn himself in. They later released others except of his one nephew Tawanda Muchechiwa who remained in custody being tortured so badly such that when he was finally released he needed emergency medical attention. Koen *et al* (2020) reported that Mathuthu's nephew was "chained up and handcuffed, they were stepping on top of him so the doctors believe this trauma caused the renal failure". This is just few of the recorded incidences with many other incidences going on without being recorded or reported. Some of the victims do not see the need to report because perpetrators go unpunished which was also the case even during Mugabe's tenure. Promise Mkhwananzi the leader of the Tajamuka/Sesjikile social movement fled the country and sought refuge in the neighbouring South Africa. This is because Mnangagwa and ZANU-PF are the law and whatever they do no one can question them because they have the courts under their helm.

Crackdown on protestors especially CSO leaders and activists is now the order of the day, something that brings out the irony after he promised a new dispensation yet all he has done is bring a second round of Mugabe's republic. Soldiers who killed seven people after the 2018 elections have never been brought to book. A streak of human abuses under Mnangagwa have shown how he has always been the master mind behind such atrocities even during Mugabe's era as he was once the head of JOC which was an amalgamation of all state security agents. CSOs and activists have resorted to campaigning on various social media platforms like Twitter and Facebook where online campaigns like #ZimbabweanLivesMatter highlighting how human rights are appallingly violated. The deployment of the military into the streets is a call that only Mnangagwa as the president can make and is enshrined in the Constitution. Therefore, he is quite aware of what the military does whenever there are complaints against the security forces. A trend of human rights abuses has continued from Mugabe to Mnangagwa, it is like a relay baton being exchanged and Mnangagwa simply ran with it. Ironically, citizens bemoan Mugabe's downfall because the new sheriff in town has made people's lives a misery.

### **Militarization of Elections**

Militarization of elections is when soldiers or the military get deployed as a weapon to secure elections for a current government. Mostly the military acts are from a partisan standpoint to the government. In this case state security agencies like the police and military force are closely linked and associate with the ruling party even though they are not officially integrated (Masunungure, 2010:82). Transparent, free and fair elections with indisputable outcomes are central to any country's transition and are a vehicle for developing as well as consolidating democracy. The greatest challenge that faced Zimbabweans has been the holding of credible, free and fair elections since 1980. However, the issue of elections worsened post-2000. Bratton in Masunungure *et al* (2012:126) clearly put it that "while you can have elections without democracy, you can't have democracy without elections". The electoral competition became intense after 2000 when MDC was formed and proved to be a contending party for Mugabe's ZANU-PF. This hardened Mugabe and his ZANU-PF party and they took drastic measures of militarizing the electoral arena (Masunungure et al, 2012:128). Fast forward to the 2008 run-off Presidential elections which were by far the most violent elections since Zimbabwe gained its independence, the elections were coupled with gross human abuse. Most MDC supporters were targeted and abducted tortured and the worst cases were of people who were maimed for simply supporting the main opposition party.

The 2008 incidences can best be described in what Diamond (2016:150) called pseudo-democracy. He explained pseudo-democracy as regimes that "lack an arena of contestation sufficiently open, free and fair so that the ruling party can readily be turned out of power if it is no longer preferred by a plurality of the electorate". The first elections that were held 29 March 2008 saw the victory of Tsvangirai and his MDC party. Mugabe and his sympathizers deliberately delayed the announcement of results. When the results were finally released MDC-T had won but the flipside of it was that the candidate had failed to meet the required threshold that would guarantee an outright victory (Ndlovu-Gatsheni, 2013:158). Subsequently, it led to the presidential run-off elections. Bratton *et al* (2008:51) described the presidential run-off elections as an "electoral cleansing". Widespread support that Mugabe had enjoyed when he won the elections that led to his presidency in 1980 dwindled over the years to an extent that he had to rely on the power and intimidation that was provided by his state security forces. These security forces only served and protected the interests of a few elite as Mugabe's regime became overtly destructive leading to elections being militarised over the years.

The 2008 violent elections made quite a number of people to shy away from voting out of fear of reliving what transpired in 2008. Despite the 2008 violence being one of the worst after the Gukurahundi era of 1983-85, electoral violence was still experienced in 2000 and 2002 where persecutions and disappearances took place. Notable activists like Paul Chizuze, Richard Chiminya and Cain Nkala among others, either disappeared or were killed for political reasons (Amnesty International, 2018:2). Thus, there were continual calls from opposition political parties, CSOs, citizens and donor community for electoral reforms to be put in place and put an end to militarisation of elections. State security forces mostly ZNA and ZRP members would get deployed

mostly in rural areas ahead of elections (Zimbabwe Democracy Institute, 2018:13). This was an act that Mugabe and his party deliberately used on villagers so as to sow a climate of fear within citizens who dwell in rural areas as they constitute a greater number of the voting populace.

The military have always been an important apparatus of the state but November 2017 actually showed how entrenched their interference is when they carried out the coup d'état dubbed as Operation Restore Legacy. Matlosa *et al* (2016:95) argued that "the legitimacy of some governments moved from the will of the people to the barrel of the gun. The military became a power unto itself". Even Mugabe would often reiterate that Zimbabwe's independence was attained using the barrel of the gun. This statement is literally used during election period where soldiers are deployed to rural areas to intimidate citizens and remind them who brought about the independence they are enjoying so as to pursue the will of ZANU-PF. Therefore, during the 2018 elections ZANU-PF under Mnangagwa made sure that military presence is felt, a misrepresentation of what he promised in 2017.

During the 2018 elections which were Mnangagwa's first elections as a presidential candidate, he temporarily opened up the political space for all parties to campaign even in parts where it is general knowledge that they are ZANU-PF's strongholds. However, this was short-lived as, old ZANU-PF practices surfaced all over again with significant flaws. The military intimidated citizens and Zimbabwe Electoral Commission lacked objectivity as the military meddled in ZEC's line of work (Noyes, 2020:9). There was no way that ZANU-PF would make reforms that they knew will possibly go against them and remove them from power. Mnangagwa was quite aware that he is not the people's candidate of choice given his streak of violence during his days as Mugabe's right hand man. Like they say the axe forgets what the tree remembers, that is exactly how the Zimbabwean citizens felt towards him. They vividly remember all of Mnangagwa's atrocious acts from the Gukurahundi genocide, the 2008 political violence against opposition supporters among others. That would have worked against him therefore instead of the promised reforms he resorted to the old tactic of militarising elections. Mnangagwa's first elections as a presidential candidate in 2018 was largely under military surveillance which actually served as a rude awakening call for the citizens who realised how it was a continuation of the old guard.

The military has played a pivotal role in the outcomes of elections and some of the military personnel resigned from their posts and were given strategic positions in Mnangagwa's government. Many viewed it as a token of appreciation for what they did for Mnangagwa from the coup right to when he was declared the presidential winner. For instance, the late Sibusiso Moyo who was a retired Lieutenant General was appointed the Foreign Affairs and International Trade Minister, the late Perence Shiri former Air Marshal was appointed Minister of Agriculture and land affairs and Constantino Chiwenga a former army Commander was made the vice-president. All that Mnangagwa promised fell short as military visibility in his government has largely increased.

### **III. CONCLUSION**

Politics in Zimbabwe is akin to the allegory of the hydra. Though the head of Mugabe was chopped off following the coup in 2017, numerous other heads have grown in its place, continuing the pervasive repressive and authoritarian culture which stifles the growth of democracy in Zimbabwe. In spite of the commendable often risky attempts by CSOs to advocate or consolidate democracy in Zimbabwe, there has been and continues to be tremendous resistance and push back by both the Mugabe and Mnangagwa administrations. Mugabe had adopted the use of violence as his tool especially by militarising elections and abusing human rights using state security forces and repressive legislations. Mugabe was ever ready to consolidate his power such that he resorted to the use of violence to decimate his critics. His dependence on a cabal of state security officers with high ranks helped him to linger onto his seat. Time and again during Mugabe's tenure, protests would take place that prompted the enactment of laws that sought to close down democratic space and limit CSOs operations. The laws forbade criticism of the president, gave the police powers to control or prohibit public assembly. Above all, it had unprecedented provisions of sternly limiting freedom of speech, expression, and association which are ironically assured in the Zimbabwean Constitution. The laws actually facilitated state harassment and coercion as CSOs in Zimbabwe are viewed as incubators for a new breed of opposition politicians and puppets of the West.

Mnangagwa wished to walk a mile in his predecessor's shoes, therefore with the help of the soldiers he ousted his boss. Mnangagwa's government has failed to live up to its expectations, failed to change the political system and consolidate democratic institutions in the country. Zimbabwe is more likely to continue enduring political violence at the hands of Mnangagwa's regime for as long as he is in power. The military which has proved to be Mnangagwa's backbone will not relinquish its power and are now a force to be reckoned with because they now can make political decisions as to who gets into power.

There is a wide-gap between what Mnangagwa promised and the actual reality on the ground. Mnangagwa's administration has largely retained the security, administrative and legal design it inherited from

Mugabe's government. Mnangagwa has stepped up repression to consolidate authority coupled with widespread corruption and above all has failed to uphold rule of law just like his predecessor. Consequently, Mnangagwa adopted and continued Mugabe's legacy despite promising a 'New Dawn'. He has always been known by most citizens as a ruthless individual who was directly involved in the Gukurahundi massacre among other atrocities. The use of state security forces, having repressive legislation, abusing human rights and militarising elections have all been used in a self-serving manner by Mugabe and currently under Mnangagwa. Regardless of the push backs some CSOs have braved the storm and continued with their calls for a democratic state. In a nutshell, Mugabe had become an ideology, Mugabeism, an ideology that Mnangagwa lives according to. Mugabe and Mnangagwa are like two peas in a pod, therefore there has been continuity in the running of the state instead of the promised change of a "New Zimbabwe" when the latter came into power.

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