

SADC Talks Hang in the Balance

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Constitutional amendment looks likely to scupper Mbeki mediation initiative.

The eighteenth amendment to Zimbabwe's constitution, gazetted last week by Justice Minister Patrick Chinamasa, has been criticised everywhere as a further indication that President Robert Mugabe is not keen on talks with the opposition - talks which, it is naively claimed, will end the country's eight-year political and economic crisis.

Many analysts suggest that opposition Movement for Democratic Change, MDC, demands and ZANU-PF actions mean that a Pretoria-led effort to get the two sides together is unlikely to succeed.

Through South African president Thabo Mbeki's mediation process in Zimbabwe, mandated by the Southern African Development Community, SADC, the MDC is demanding a new, people-driven constitution, a new voters' roll, an independent electoral commission, a vote for people living in the diaspora (all who are assumed to be opposed to ZANU-PF rule, or at least to Mugabe) and a constituency delimitation commission answerable only to parliament.

It also wants an immediate end to politically-motivated violence against its supporters and international observers for the country's first combined presidential and parliamentary elections, tentatively scheduled for March next year.

ZANU-PF, however, has pushed through Constitutional Amendment 18, which reduces the term of the president from six to five years, legalises the joint holding of parliamentary and presidential elections and, significantly, increases house of assembly seats from the current 150 to 210 and senate seats from 66 to 84.

The latter would require the redrawing of new electoral boundaries, which would give ZANU-PF room to gerrymander constituencies, especially in rural areas where it enjoys considerable support.

Critics argue that because the amendment is being rushed through by ZANU-PF and not as part of a mediation process with the MDC, the mediation process itself is being undermined.

Writing in the *Zimbabwe Independent*, Jonathan Moyo, a political scientist and independent member of parliament, said, "Mugabe's henchmen want to pre-empt and sabotage Mbeki's SADC mediation by turning it into a meaningless exercise in assured failure."

Lovemore Madhuku of the National Constitutional Assembly, a pressure group that has campaigned for a new constitution since the late 1990s, said the amendment "puts an end to the Mbeki initiative".

Some observers are not quite so pessimistic but agree that the ZANU-PF was trying to weaken the opposition in advance of possible talks.

A Harare-based analyst said the MDC was right to be wary about what the ruling party was doing but that

didn't mean the SADC talks were dead, suggesting that ZANU-PF was trying to "limit the MDC's options".

"ZANU-PF...are always a step ahead of their opponents," he said.

Another Harare commentator said it was naive of the opposition to imagine that a sitting government would create a constitution that disadvantages it. "If [the MDC] wants a new constitution they will have to win power first. This is politics; you play according to the rules on the ground not romantic ones. The amendment is characteristically ZANU-PF playing politics. Politics is their life," he said.

Mugabe recently told New African magazine in an interview that no politician would make constitutional changes that would cost him power. He scoffed at MDC demands for a new constitution as unrealistic expectations.

The commentator said the MDC should set minimum achievable demands and decide now whether it will take part in next year's election if they are not met. He said so far people didn't know where the party stood - apart from making demands for "free and fair elections".

He said nothing stopped the party from engaging ZANU-PF in the parallel process on the new constitutional amendment while they pursue Mbeki's mediation route, "It is better to try and influence the process through engagement than by standing aside and hoping that Mbeki alone will come to their rescue. They can try to influence ZANU-PF MPs to reject the amendment when it is presented to parliament next month."

ZANU-PF needs a simple majority in parliament to pass the bill into law. It already has that by virtue of its overwhelming majority in the senate.

The analyst pointed to the emergence in the ruling party of factions linked to leading personalities said to be opposed to Mugabe's plan to stand as the sole candidate in the presidential election in March. Rural Housing Minister Emmerson Mnangagwa and retired army general Solomon Mujuru are said to be opposed to Mugabe's plan. But they are also bitter rivals to succeed him.

He also said the MDC depended too much on an urban constituency while doing precious little to win voters in the countryside. "They want to remain an urban party yet the majority of our people live in rural areas. A new constitution won't alter that reality. By the time they get that constitution, ZANU-PF will have won the election," he said.

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