

### 3. Background

#### 3.1 *A gradual militarization and politicization of electoral institutions*

Elections are a critical aspect of democracy as they enable citizens to exercise their democratic right to choose who shall govern over them. They are important not only because they facilitate direct participation in the governance of the country by its citizens, but also because elections confer legitimacy – the legal right to govern and the political right to make decisions that may be applied.

Elections in Zimbabwe have become a mere concession to pressure to democratize, a gross form of lip-service to democracy characterized by the ZANU-PF regime's use of authoritarian tactics, violence and intimidation to coerce the electorate to support it. As demonstrated below, through the use of the military, ZANU-PF has perfected the art of taking citizens of Zimbabwe through periodic 'choice-less' elections where violence and intimidation play a decisive role in determining election processes and outcomes.

Zimbabwe's laws including the Defence Forces Act and the Constitution prohibit the military from participating in politics and from partisan interference in electoral affairs. The mission statement and objectives of the Zimbabwe Defence Forces clearly spell out what the army and other forces seek to achieve, which includes ensuring the protection and security of Zimbabwe's territorial integrity and independence. Notwithstanding the legal and formal prohibition of partisan political conduct by the army, the military leadership is openly partisan towards ZANU-PF and has dabbled in politics on several occasions thereby straining relations with civilians. Security sector expert Dr. Martin Rupiya<sup>1</sup> notes that civil-military relations were eroded to being non-existent in 2002 when the military chiefs purported to set the criteria for persons who can be presidential candidates. Since 2002, the military has consistently threatened to veto any poll result that goes against its preferred candidate that is, Robert Mugabe.<sup>2</sup>

Over the past decade, Zimbabwe has witnessed a gradual militarization and politicization of electoral institutions characterized by several appointments of personnel with a military background to run institutions responsible for elections such as the Zimbabwe Electoral Commission (ZEC) and the Delimitation Commission (DC).

In September 2004, President Robert Mugabe appointed a four-member Delimitation Commission chaired by former Judge Advocate responsible for military tribunals in the Zimbabwe National Army (ZNA) and High Court Judge, Justice George Chiweshe. In 2008 Mugabe appointed Justice Chiweshe to chair the Zimbabwe Electoral Commission that presided over the violent and controversial 2008 national elections and the discredited 27 June presidential run-off election held the same year.

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<sup>1</sup> M. R. Rupiya, *Civil-Military Relations in Zimbabwe*

<sup>2</sup> *The Security-military Business Complex and the Transition in Zimbabwe*, Zimbabwe Institute Discussion Paper: June 2008

Justice Chiweshe chaired ZEC from 2005 until 2010. In 2008 the Justice Chiweshe-led ZEC delayed the announcement of presidential results by more than six weeks for unclear reasons amid wide speculation that ZEC used the delay to manipulate figures to deny Morgan Tsvangirai an outright victory against Mugabe. In May 2010, Mugabe promoted Justice Chiweshe to Judge President, a move widely regarded as a reward for his partisan role at the helm of ZEC. This appointment triggered protests by the MDC and civic groups.

A member of the Chiweshe-led Delimitation Commission; Job Wabira is a former permanent secretary in the Ministry of Defence who in 1998 was accused of disregarding High Court rulings to release Standard newspaper journalists who had been arrested and tortured by the military for writing a story about an alleged coup attempt. Sobuzza Gula-Ndebele, a former colonel in the ZNA was chairperson of the ESC charged with the running the 2002 presidential election. Gula-Ndebele was later appointed Attorney-General, a position he held until 2008.

During Gula-Ndebele's tenure at the Electoral Supervisory Commission (ESC), the Chief Executive Officer of the ESC was Brigadier-General Douglas Nyikayaramba who has since been appointed by President Mugabe to head 3 Brigade based in Manicaland. Brigadier Nyikayaramba recently went public saying he was ZANU PF and would not allow the victory of Prime Minister Tsvangirai. He noted that he would not salute Tsvangirai if he wins elections<sup>3</sup>. He further predicted a ZANU PF victory and demanded the elections be held in 2011, echoing the position of ZANU PF.

After the formation of the inclusive government ZEC was reconstituted with respected judge, Justice Simpson Mtambanengwe as its chairperson. Serious concerns remain, however, that the ZEC secretariat comprises of military personnel whose independence is questionable. For instance, a senior military official, Major Utuile Silaigwana, who was part of the 2008 ZEC circus, is ZEC spokesperson.

### ***3.2 Direct military interference in electoral affairs – partisan public statements***

Since February 2000, following the first electoral defeat to a ZANU-PF led government when people rejected a proposed constitutional draft, senior military officials have issued partisan public statements in support of President Mugabe and ZANU-PF and opposed to an election outcome that favors any party leader other than President Mugabe or his ZANU-PF nominee.

In March 2008 Zimbabwe Defence Forces Commander, General Constantine Chiwenga signaled his readiness to set aside the constitution should Robert Mugabe be defeated at the polls, describing Mugabe's opponent, Morgan Tsvangirai as an agent of the West and vowing to instruct the military not to take orders from him.<sup>4</sup> This was not the first time the military leadership had vowed not to salute Tsvangirai. On 9 January 2002 all security chiefs publicly and jointly declared that they would not salute a president lacking "liberation credentials."<sup>5</sup>

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<sup>3</sup> The Zimbabwe Independent Newspaper, An Interview with Brigadier General Nyikayaramba, 27 May 2011

<sup>4</sup> Chiwenga threatens coup if Mugabe loses election'. SW Radio Africa, 10 March 2008

<sup>5</sup> SW Radio Africa Zimbabwe news

The former Commander of the Defence Forces General, the late Vitalis Zvinavashe issued a statement declaring that the country's security sector would only support political leaders who "*pursue Zimbabwean values, traditions and beliefs for which thousands of lives were lost in pursuit of Zimbabwe's hard-won independence, sovereignty, territorial integrity and national interest.*"<sup>6</sup> The statement continued:

To this end, let it be known that the highest office on the land is a 'straightjacket' whose occupant is expected to observe the objectives of the liberation struggle. We will, therefore, not accept, let alone support or salute anyone with a different agenda that threatens the very existence of our sovereignty, our country and our people.<sup>7</sup>

Similarly, Brigadier-General Douglas Nyikayaramba told traditional chiefs, soldiers and the police at 3-3 infantry battalion in Mutare on October 23, 2010, that no person without revolutionary credentials would rule Zimbabwe. Nyikayaramba, a serving senior military official, publicly proclaimed his support for ZANU-PF saying, "*I am where I am today because of the party. Some of us actively participated in the struggle and we cannot stand up and say we do not belong to that party.*"<sup>8</sup>

More recently, on 27 May 2011, Brigadier-General Nyikayaramba told a weekly Zimbabwe paper that the military wants elections in 2011 which will be won by ZANU-PF adding, "*Truly speaking, I am in ZANU-PF and ZANU-PF is in me and you can't change that.*"<sup>9</sup>

In May 2008, Army Chief of Staff Major-General Martin Chedondo told soldiers at an army shooting championship in Harare:

The Constitution says the country should be protected by voting and in the 27 June presidential election run-off pitting our defence chief, Cde Robert Mugabe, and Morgan Tsvangirai of the MDC-T, we should, therefore, stand behind our Commander-in-Chief. Soldiers are not apolitical. Only mercenaries are apolitical. We have signed and agreed to fight and protect the ruling party's principles of defending the revolution. If you have other thoughts, then you should remove that uniform.<sup>10</sup>

Major-General Engelbert Rugeje addressing a rally in Masvingo in May 2008 stated:

This country came through the bullet, not the pencil. Therefore, it will not go by your x of the pencil. We cannot let the efforts of such people as the late Chimombe to liberate this country just go to waste. Today I came here by helicopter with the late Chimombe's body. The next time I will come next week to Jerera, the helicopter will be full of bullets. You know what you did.<sup>11</sup>

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7. Militarisation of Zimbabwe: Does the opposition stand a chance? 24 December 2007

<sup>7</sup> Ibid

<sup>8</sup> Great Indaba, Wednesday 03 November 2010, Tsvangirai will not rule; army general

<sup>10</sup> Forcing soldiers to vote for Mugabe Unlawful: Analysts, Saturday 31 May 2008 <http://www.thestandard.co.zw/local/18248-forcing-soldiers-to-vote-for-mugabe-unlawful-analysts.pdf>

<sup>11</sup> Major General Engelbert Rugeje, The Financial Gazette (19 June 2008)

Rugeje also promised villagers that on his return after the vote, ‘the helicopter will be full of bullets.’ In Mudzi in April 2008, soldiers reportedly handed out bullets to villagers and told them:

If you vote for MDC in the presidential run-off election, you have seen the bullets; we have enough for each one of you, so beware.<sup>12</sup>

President Mugabe endorsed this view by the military at one of his election rallies and warned:

The war veterans came to me and said, ‘President, we can never accept that our country which we won through the barrel of the gun can be taken merely by an ‘x’ made by a ballpoint pen.’ *Zvino ballpoint pen icharwisana ne AK?* [will the pen fight the AK rifle?] Is there going to be a struggle between the two? *Liyekele ukhupikisana lombhobho* [do not argue with a gun].<sup>13</sup>

These extremely partisan political statements by the military are a subversion of the will of the people and a vitiation of elections as an expression of democratic choice. Defence Forces Commander, Constantine Chiwenga, in a manner that could unduly influence elections, publicly predicted resounding electoral victory for ZANU-PF presidential candidate, Robert Mugabe when he said:

Our comrade, Defence Forces chief, our leader President Mugabe and comrade-in-arms will romp to victory. We say so because we have no apology to make to any house nigger and puppets.<sup>14</sup> ‘If the opposition wins the election, I will be the first one to resign from my job and go back to defend my piece of land. I will not let it go...I am giving you an order to vote for the President (Mugabe). Do not be distracted...I will only support the leadership of President Mugabe.’<sup>15</sup>

Shocking and blatantly partisan as the above statements might be, the military leadership has not stopped there. A more sinister form of direct military interference in the political and electoral affairs of Zimbabwe has been through direct participation by members of the military in perpetrating abuses and in the intimidation of the citizenry.

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<sup>12</sup> Human Rights Watch, ‘Bullets for Each of you, State sponsored violence since Zimbabwe’s March 29 Elections- Soldiers addressing villagers at meetings in Karoi, Mashonaland West page 3

<sup>13</sup> President Mugabe The Herald (23 June 2008)

<sup>14</sup> General Constantine Chiwenga, head of the Zimbabwe Defence Forces, The Herald (23 June 2008)

<sup>15</sup> Paradzai Zimondi- Head of Zimbabwe Prison Services. The Herald (29 February 2008)

### ***3.3 Direct military interference in electoral affairs – political violence and intimidation***

Since 2000, members of the military and other security agents, have been implicated in acts of politically motivated violence and intimidation primarily MDC party members and supporters in a vicious repression campaign that included a network of illegal detention centers strewn across the country. In the political violence of 2008 alone, where the military and other ZANU-PF allies were fingered, more than 200 MDC supporters were murdered. In many of the cases the perpetrators who included senior army officers, were named in statements and reports made to the police. However, the police, themselves an extremely politicized institution, have not thoroughly investigated or arrested named perpetrators of the murders and abuses.

Political violence by members of the military, including by uniformed soldiers, was most prominent in the context of the 2008 presidential run-off election campaigns as examined in greater detail in the chapter that follows.

#### **4. The Military's Toxic Role During The 2008 Elections**

Although the role of the military was covert and subdued in the lead up to the March 2008 elections, it became decisive and toxic during the presidential runoff election campaign period between April and June 27. The military had overtly taken over and had become the arbiter of Zimbabwe's fate during this period.<sup>16</sup> In early June 2008 MDC leader Morgan Tsvangirai noted that the country had witnessed a de facto coup d'etat and was now effectively run by a military junta.<sup>17</sup>

In an attempt by the military to reverse Mugabe's defeat by Tsvangirai in the first round of presidential elections, the military effectively overthrew the electoral process and unleashed violence and intimidation on a wide scale. The military emerged at this time as the bedrock and political commissar of ZANU-PF. Following a defeat at the polls by the MDC in March 2008, ZANU-PF's evaluation noted the obvious, that the party structures were virtually non-existent and lacked capacity to mount an effective campaign, hence the strategy to turn to the military for a campaign of coercion. Political scientist Eldred Masunungure noted on the runoff campaign period:

The April to June 2008 interregnum was a militarized moment. A ZANU-PF that had been de-stooled as the ruling party in Parliament was not prepared to be dislodged from State House... In the process, the winds of democratic change were defied; a peaceful, election-centered process of transition away from authoritarianism and towards democracy was interrupted.<sup>18</sup>

Between April and the June 27 run-off election, the security forces took a central role in violently campaigning for the ZANU-PF candidate, Robert Mugabe. During this period soldiers were deployed in all the ten provinces across the country with the aim to ensure that ZANU-PF wins the presidential election at all costs.

The following are military personnel deployed to lead and run ZANU-PF election campaigns in April 2008:<sup>19</sup>

Harare Metropolitan Province - AVM Michael Karakadzai.

Bulawayo - Province Col. C. Sibanda

Bulawayo Central - Maj. J. Ndlovu and Maj. J. Ncube

Manicaland and Mutare South - Brig. Tarumbwa

Buhera Central - Col. M. Mzilikazi (MID)

Buhera North - Maj. L. M. Svosve

Buhera South - Maj. D Muchena

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<sup>16</sup> Statement by Ms. Tiseke Kasambala, Senior Researcher, Africa Division of Human Rights Watch

<sup>17</sup> Thornycroft, P, <http://www.globalsecurity.org/military/library/news/2008/06/mil-080610-voa08.htm>

<sup>18</sup> A Militarized Election The 27 June Presidential Run-off Eldred V. Masunungure

<sup>19</sup> MDC Information Department (2008)

Buhera West - Lt. Col. Kamonge, Major Nhachi  
Chimanimani East - Lt. Col Murecherwa  
Chimanimani West - Maj. Mabvuu  
Headlands - Col. Mutsvunguma  
Makoni North - Maj. V. Chisuko  
Makoni South - Wing Commander Mandeya  
Mutare Central - Lt. Col. Tsodzai, Lt. Col. Sedze, Mandi Chimene  
Mutare West - Lt. Col. B. Kashiri  
Mutare North - Lt. Col. Chizengwe, Lt. Col. Mazaiwana  
Mashonaland Central - Brig.Gen. Shungu  
Bindura South - Col. Chipwere  
Bindura North - Lt. Col. Parwada  
Muzarabani North - Lt. Col. Kazaza  
Muzarabani South - Maj. H. Maziri  
Rushinga - Col. F Mhonda, Lt. Col. Betheuni  
Shamva North - Lt. Col. Dzuda  
Shamva South - Makumire  
Midlands - AVM Muchena, Brig. Gen. S. B. Moyo, Lt Col. Kuhuni  
Chirumanzu South - Maj T. Tsvangirai  
Mberengwa East - Col. B. Mavire  
Mberengwa West - Maj. T. Marufu  
Matebeleland South - AVM Abu Basutu  
Beitbridge East - Group Cpt. Mayera, Rtd. Maj. Mbedzi, Lt. Col. B. Moyo  
Gwanda South - Maj. J. D. Moyo  
Gwanda Central - Maj. B. Tshuma  
Matopo North - Lt. Col. Maphosa  
Matebeleland North - Brig. Gen. Khumalo

Binga North - Maj. E. S. Matonga  
Lupane East - Lt. Col. Mkwanzani  
Lupane West - Lt. Col. Mabhena  
Tsholotsho - Lt. Col. Mlalazi  
Hwange Central - Lt. Col. P. Ndhlovu  
Masvingo Province - Maj. Gen. E. A. Rugeje  
Rtd. Maj. Gen. Gibson Mashingaidze, Rtd. Brig. General Rangwani  
Bikita West - Maj. B. R. Murwira  
Chiredzi Central - Col. G. Mashava  
Chiredzi West - Maj. E. Gono  
Gutu South - Maj. Chimedza (Medical Doctor), AVM Muchena  
Masvingo - Lt. Col. Takavingofa  
Mwenezi West - Lt. Col. Muchono  
Zaka East - Maj. R. Kwenda  
Mash West Province - Brig. Gen. Sigauke  
Chinhoyi - Col Gwekwerere  
Chegutu East - Lt. Colonel W. Tutisa  
Hurungwe East - Lt. Col. B. Mahambe  
Mhondoro Mubaira - Col. C. T. Gurira  
Zvimba North - Cpt. T. Majongwe  
Mashonaland East - Brig. Gen. D. Nyikayaramba, Rtd Brig Gen Rungani  
Chikomba Central - Lt. Col. Marara  
Goromonzi North - Lt. Col. Mudzimba, Maj. F. Mbewe  
Marondera Central - Maj. Gen. Chedondo (COSG), Lt. Col. B. Kashiri  
Marondera West - Squadron Leader U. Chitauro  
Murehwa South - Maj. Gurure  
Murehwa North - Lt. Col. Mukurazhizha, Lt. Col. Chinete