

## CHAPTER 6: THE FUTURE OF PEACE UNITY AND RECONCILIATION

---

The current reconciliation and peace initiatives in Zimbabwe face a lot of challenges. In fact the future of reconciliation in Zimbabwe is bleak as there has not been any transformation of crucial state apparatus to suit the needs for reconciliation. While the GPA was meant to promote sustainable peace and reconciliation in Zimbabwe it has faced many challenges and has failed to stem out political violence and promotes political unity within Zimbabwe. These challenges have not been adequately addressed that paints a gloomy picture on the future of reconciliation. The major players in Zimbabwean political are deliberately sabotaging the process for political survival. Oppressive pieces of legislation that dates back from the smith regime have been used and even remodeled to oppress people.

As a prelude to assessing the dynamics of leadership struggles within the GNU, on one hand, a coalition of reform elements on the MDC side was able to achieve a modicum of policy innovation and modest socioeconomic gains. On the other hand, entrenched elements in the ZANU-PF coalition were able, more often than not, to offset meaningful reforms by countermanding MDC political initiatives. Their strategy centered on provoking MDC to withdraw from the unity accord, thus ensuring its failure without ZANU-PF incurring blame. Indeed, the post-2008 transition period barely alleviated prior conditions of political crisis.

The fundamental problem with the transitional government is that power is not shared, but divided. ZANU-PF and MDC-T exercise power separately within largely exclusive, and often competing, zones of authority. Moreover the distribution of power is unequal, with the balance tilted in favor of old guard elements from the previous regime. Thanks to its intransigent stance during power-sharing talks, ZANU-PF

managed to retain exclusive control over the coercive instruments of state, including the security, intelligence, and judicial services, and the politically strategic ministries responsible for land, agriculture, and local government. MDC was unsuccessful in a bid to obtain a Deputy Minister post in the Ministry of Defence, instead accepting that ZANU-PF would be denied a similar position in the Ministry of Finance.

And, under intense pressure on an issue that threatened to derail the entire settlement, MDC was forced by the South African negotiators to accept co-leadership with ZANU-PF of the Ministry of Home Affairs, that controls the police. As nominal heads of economic and social ministries, MDC ministers are well placed to serve as gatekeepers between the government and the purveyors of aid. But, because no party enjoys ultimate control, a divided government is unlikely to push through major pieces of economic or political reform that can meaningfully change the rules of governance.

Instead, democratization and development are largely stalled for as long as Zimbabwe remains one country with two rival governments. Moreover, a patronage culture endures. The Global Political Agreement called for a six-person executive (a president and prime minister, each with two deputies) and a large cabinet of 31 ministers and 16 deputy ministers. Yet the accord was violated at birth when ZANU-PF and the two MDCs colluded to appoint 41 ministers and 19 deputies, the largest and most expensive cabinet in Zimbabwe's history.

The expansion of official posts to accommodate political allies suggests that both sides are willing expediently to sacrifice the careful management of scarce public resources to distribute political spoils. And some MDC cadres may well regard a government position as an opportunity to gain access to assets and rents previously enjoyed by ZANU-PF, as reflected in demands for state-of-the-art vehicles and other perks by MPs across the three parties. But, so far in Zimbabwe (in

contrast to the dynamics of power sharing in Kenya), contestation between rival elites is far more common than collusion.

The GPA signatories rarely work well together. Indeed, Mugabe treats Tsvangirai with open contempt. For example, he has systematically prevented the PM from chairing the Cabinet in the President's absence, despite a GPA provision codifying this understanding. And, in practice, the Council of Ministers – that the PM does chair – has been side lined. From central role in policy debate and is treated as a subcommittee of Cabinet. Nagging disputes over “outstanding issues” of GPA implementation have led MDC Ministers to boycott Cabinet meetings, appeal for the intervention of SADC negotiators, and, in October 2009, to temporarily suspend participation in the coalition government.

The inclusive government is beset with problems from the onset there are problems with implementation and policy inconsistency within the ZANU PF and MDC T. These problems have shown that the warring parties are far from settling their differences and therefore any call for election would be a declaration of war The Global Political Agreement of 15 September 2008, signaled the end of the open political crisis between rival political parties in Zimbabwe.

The Parties agreed that the new Government will ensure equal treatment of all regardless of gender, race, ethnicity, place of origin and will work towards equal access to development for all, will ensure equal and fair development of all regions of the country and in particular to correct historical imbalances in the development of the regions shall give consideration to the setting up of a mechanism to properly advise on what mechanisms might be necessary and practicable to achieve national healing, cohesion and unity in respect of victims of pre and post-independence political conflicts; and will strive to create an environment of tolerance and respect among Zimbabweans and that all citizens are treated with dignity and decency irrespective of age, gender,

race, ethnicity, place of origin or political affiliation will formulate policies and put measures in place to attract the return and repatriation of all Zimbabweans in the Diaspora and in particular will work towards the return of all skilled personnel.

An analysis of Article VII reveals ambiguity and vagueness in addressing critical human rights issues of equality, national healing, cohesion and unity. Human rights provisions are framed in general terms, that mask fundamental details of transitional justice in the post-independence period.

There is lack of detail and ambivalence in the content and up structures of transitional justice during the interim period. These structures should aim to confront issues of impunity and crimes of the past to lay foundations for the establishment of legitimate judicial systems and democratic reforms and norms. However, as a result of this vagueness, issues of human rights violations continue to invoke controversial negotiations among the three principal political actors.

The agreement also does not set a time frame for when the mechanisms and processes of transitional national healing should start. In addition, there are no provisions for an exit strategy to the process. The critical key words of 'justice' and 'reconciliation' are missing in the article. Whilst articles 7.1(a) and 7.1(b) do state that the 'government will ensure...,' this phrase evokes a sense of willingness but not commitment. Article 7.1(c), that focuses on national healing, cohesion and unity, is also stated in very vague and ambiguous terms as it lumps together conflicts from different historical periods. This lack of clarity and specificity makes the job of national healing overwhelming as the process may take decades. Such vagueness abrogates the ZANU-PF party from taking social responsibility in accounting for post independence human rights violations.

Whilst the use of 'shall' in 7.1(c) implies a sense of obligation, the use of 'consideration', implies that the new government will think about the proposed mechanisms, but will not be committed to fulfilling the obligation. Article 7.1(d) is also problematic in that it vaguely states that the new government 'will strive...' (GPA 2008) Whilst this implies that the new government will make every effort to create an environment of tolerance, the use of a relative word such as 'strive' suggests that although they might want to create an environment of tolerance and respect, they might fail. This means that the political security of certain individuals would not be guaranteed by the state. This skepticism becomes valid, given that political tolerance as a measure of reconciliation remains contested in the political culture of Zimbabwe.

A further challenge in respect of the agreement is that the GPA was transitional or short term, 24-month, power-sharing agreement and not a comprehensive Peace Agreement in its truest sense. As such, one of the key mandates of the transitional government was to facilitate the making of comprehensive and radical constitutional reforms that will pave the way for a new 'people-driven' constitution within 18 months but the time frame has already changed and no one really knows the end of the process. There is haggling over the constitution even before the draft is not completed. The three drafters have received criticism from ZANU PF for failing to account for people's views and the party wants them fired this is despite the fact that the party has a focal person in the process.

This constitution was supposed to set a foundation for the creation of democratic spaces that will enable all parties to contest in 'free' and 'fair' elections, within a period no longer than 5 years. The logic from the perspective of all parties, including ZANU-PF in particular to have elections soon after completion of the constitution making process but is the conditions for elections ripe? If this question is being constantly asked it shows that peace unity and reconciliation is far from being

achieved as elections have proved to be divisive and create war like situation.

The Joint Monitoring and Implementation Committee (JOMIC) established under article 22 of the GPA was given 5 major functions that include ensuring the implementation of the letter and spirit of the GPA, to assess the implementation of the GPA from time to time and to consider steps that need to be taken to ensure the speedy and full implementation of the GPA in its entirety and to receive complains in respect of any issues related to the implementation enforcement of the GPA. An appraisal of JOMIC shows that it has failed to fulfill its mandate because it's a self saving organisation advancing the interests of the political parties and not for peace unity and reconciliation because it has no legal powers to enforce decisions and recommendations.

What should be understood is that constitution alone is no guarantee for a credible election process. Charles Ray the United States Ambassador said "you can have the most perfect constitution on earth but if it's not adhered to or carried out it's just a piece of paper" daily news (March 8; 2012). The question that needs to be asked is there a political will to adhere to the constitution or its just there to protect the interests of the elite? And why is ZANU PF calling for elections without the completion of the process. As of now the Human Rights Commission has not been constituted that shows insincerity on the part of the government in addressing human rights abuses. The reason is that some people within the government do not want the past abuses to be investigated for fear of arrest. Even the past commissions of enquiries have not been made public and no action taken that means the elite is protecting their interests and there is no guarantee that in future peace can be guaranteed.

From the perspective of ZANU PF spin doctors the new drafts being presented to the public is Lancaster 11. Jonathan Moyo (Sunday Mail

march 4-10; 2012) argued that “the time has come for us to understand that some among the political divide want to hide the ambitions and schemes behind COPAC to seek leadership change, government change or regime change by transforming COPAC into a treacherous Lancaster 11 for a new negotiated political settlement fronting local puppets to reverse the gains of liberation under the guise of constitution making .... That should not only be food for thought but also for anyone who still does not understand that the 2012 elections would be held under the current constitution”.

Thus the views of ZANU PF as a party are always supreme to the views of the people. This means that as long as ZANU PF controls the process no reconciliation will take place as the party has dismally failed in the process since independence. With the concept of the ‘winner takes all’ form of elections, this process will give due prerogative to the winner of the post-transitional government to determine the type and form of transitional justice it considers desirable.

Thus the focus on political issues related to the cessation of violent hostilities and the emphasis on provision for elections founded on the ‘winner takes all’ principal becomes apparent. The agreement, and in particular Article VII, fails to articulate more complex questions of transitional justice and human rights abuses in specific terms. As the agreement was essentially negotiated by political elites, issues of human rights were drafted in very obscure terms as a way of protecting dominant political groups allegedly implicated in post-independence and post-2000 human rights abuses.

In the GPA, emphasis is placed on equality with regard to social and economic development (7.1(a) and 7.1(b)). Of great concern, is that the GPA is silent on amnesty issues, hence the since the signing of the Interparty Political Agreement (IPA) on 15 August 2008, and since the inception of the inclusive government on 13 February 2009. Controversy

surrounds the ZANU-PF's alleged continuing manipulation of power and use of coercive tactics in making unilateral decisions representing its party interests, contrary to the IPA, its preceding Memorandum of Understanding (MoU) and GPA agreements. For example, to many people, the unilateral relocation of communications responsibilities from an MDC-T Ministry to a ZANU-PF Ministry appears to signal a lack of commitment and political will to enforce the IPA and the GPA

Furthermore, the inability of the new inclusive government to initiate and table bills on fundamental reforms of repressive legislative laws and review laws governing investment in sectors such as mining, or tackle corruption has prevented the required aid and investment inflow. All these events are compounded by the continued arbitrary arrests of political opposition members. For instance, since the signing of the GPA more than 30 political activists have been abducted and some remain detained under torture in police custody and maximum prisons.

Thus, for a country emerging from years of sporadic violence, the perceived failure to deal with political detainees, the lack of police response to violence and the arrests of journalists, students and lawyers, does not send the right signal to the global community that of a new wave of democratisation in transition. The continued impunity undermines the whole concept of inclusive power sharing and a government of national unity assumed to have been founded on the GPA's principles of social cohesion, national healing and unity.

The alleged continued contravention of the GPA principles by the ZANU-PF revealed a disregard for both the rule of law and commitment to transformative change, that could be premised on the loose and misleading interpretation of the meaning attached to the concept of rule of law and the safeguarding of national and state security.

While Article VII is a step in the right direction that will hopefully lead to a full restoration of democratic justice and peace in Zimbabwe, the peace agreement is framed and interpreted in the context of strong hegemonic party politics.

Perceptions are that the ZANU-PF's insistence on controlling security Ministries of Defence, Home Affairs and Communications signal an apparent pattern of partisan interests that perpetuate a minimalist viewpoint about democratic peace, reconciliation and national healing. The ZANU-PF continues to monopolise the use of the media and the police in its political campaigns by coercively presenting itself as the liberator and legitimate patron of the Zimbabwean people to whom the people remain indebted.

In this way, issues of peace, security, reconciliation and national cohesion as well as healing and stability become heavily compromised and politicised. Article VII was designed to respond to socio-political issues at a macro or national level and to resolve national political challenges with a view to restoring social cohesion and national unity. It is the needs of the nation, not individuals that are of paramount concern in this Article. The logic of this macro perspective is grounded on the argument that the National Healing and Reconciliation Organ is a political entity born out of a negotiated political process aimed at serving national interests as enshrined in the GPA.

Therefore, in the interest of the nation, Article VII precludes civil claims against perpetrators as this is likely to erode the state's limited fiscus. In addition, it is very unlikely that the ZANU-PF will endorse monetary compensation for political survivors from opposition political parties, irrespective of how genuine the claims might be. Bearing these important caveats in mind, it can be argued that Article VII does not represent an individual-friendly process but rather a politically-orchestrated national healing and reconciliation project.

Article VII pointed to the divergent views on the perceived 'reconciliatory compromises' claimed to have been reached through a negotiated process that, to some people, perpetuate semblances of the autocratic status quo of the old regime. To some people, Article VII represents a flawed response to the pain and suffering experienced by those who were labelled as enemies of the state as it waters down issues of transitional justice.

Whilst objections have been voiced about retributive justice, other people are of the view that without accountability, impunity reigns. The aforementioned objections have been raised on the grounds that retributive justice may further destabilize the fragile peace agreement and obstruct a smooth transition to democracy as it is equated with vengeance. Many civil society groups in particular expect transformative change that accounts for human rights violations and abuses of power as a crucial prerequisite for democratic peace and justice but as it stands now the inclusive government has failed to do so.

Robert Mugabe has come out calling for fresh elections but with the perpetrators of the 27 June violence walking free there is no guarantee that there will not be a repeat of the same violence as MDC meetings are being barred or disrupted by elements from ZANU PF. And even within the MDC-T there is no unity because their meetings are sometimes disrupted by violence from rival factions and as they can not be united within the party there is no guarantee that they will tolerate different political views. What unites them at the moment is the desire to dislodge ZANU PF but once ZANU PF is removed from power there is no guarantee that they will focus on internal differences.

The biggest challenge however, for any healing process, is that unless the problem is acknowledged by the ruling elites, Zimbabweans will continue to deal with the mental effects of the political violence in an ad hoc and unsustainable fashion. As such, the work being done by some

public and private health sector organisations and emergent psychiatric and counseling units in promoting justice, psychological relief and reconciliation, represents an important step in facing up to the challenges of a traumatic past, albeit challenging and costly.

The question that has puzzled many people is the sincerity of ZANU PF in the new government. While the 2008 elections were inconclusive and very violent the ZANU PF party in the inclusive government has been advocating for election without the full implantation of the GPA this has given rise to the belief that the party wants to maintain political control at all costs. The conditions for the elections have certainly not changed.

Writing in the *Newsday* Brian Mangwende (March 7; 2012) argued “there is no point in going for elections if you do not desire for the people to exercise their right to vote and if you are not going to accept the people’s choice, rather turn the country into a monarchy and rule forever”. The 2008 elections were “characterised by self-indulgent debauchery and callous abductions of innocent in the period leading to the June 2008 run-off elections, the world and Africa in particular, took a step back and said the June 2008 debacle was not an election” (*ibid*).

Grave inequalities were identified in the electoral process and all parties agreed to the recommended reforms and signed the GPA but surprising the implementation process has been stalled due to constant bickering rendering the Government of National Unity inoperable. Elections without the necessary reforms serve the selfish interests of individuals and not the nation. There is no guarantee that the situation of June 2008 can not be repeated.

After the Matabeleland events and in the face of widespread demands from civil society, the ZANUPF government set up the Chihambakwe Commission of Inquiry. Its report was never made public. There was and remains no official acknowledgement of guilt, no apology, and only extremely limited redress. Just as in colonial times, amnesia was now the

preferred strategy. In the mid-1990s NGOs, like the Catholic Commission for Justice and Peace in Zimbabwe, tried to break the silence by collecting massive amounts of data on the events. The Catholic hierarchy, that had initially promised to publish the data, was so shaken by its findings that publication of the report was postponed and finally cancelled, resulting in an “unauthorized” publication.

The culture of impunity, originally conceived to deal with the human rights violations of the liberation war period, also became a driving force. A Clemency Order of 1988 pardoned all violations committed by all parties between 1982 and the end of 1987 - thus covering the Matabeleland atrocities. The Amnesty International report of 2002 on impunity in Zimbabwe notes that a 1995 presidential amnesty “officially excused the politically-motivated beatings, burning of homes and intimidation perpetrated by supporters of ZANU-PF during the 1995 elections, by granting amnesty to those liable to criminal prosecution for, or convicted of, these crimes.

This set a further precedent for yet another presidential pardon for political violence, Clemency Order of 2000, that was declared after the June 2000 parliamentary elections. Once again, those involved in human rights violations - such as kidnapping and torture, but excluding murder, rape and fraud - were placed beyond the reach of the justice system”. Many of these acts of violence were perpetrated against men and women in Matabeleland

The GPA is not an exception again the parties to the agreement especially ZANU PF has called for a blanket amnesty on all committed during the run up to the June 27 election runoff. This culture of impunity and immunity makes reconciliation and unity impossible. Many people during the elections lost their livestock and there were also reported deaths of around 200 MDC supporter s thus without proper justice being done the people would neither forgive nor forget. History

as shown that people do not forget easily as many still bear the scars of colonialism, Gukurahundi and 2000 political violence. As long as nothing is done there will be no proper reconciliation and unity is impossible. ZANU PF has been loosing elections in Matebeleland since the 2000 elections because there are many grievances that have not been solved like the lack of development in the area and unsolved Gukurahundi.

Thus to them anything associated with ZANU PF is bad and should be rejected. This shows that peace agreements on their own are not conclusive in addressing the injustices committed. One weakness of the GPA is that it is addressing surface issues and not taking a holistic approach because the Organ on National Healing and Reconciliation is trying to reconcile the parties to the 2008 violence without addressing all the unresolved issues of the past. From atrocities committed by the white rulers, the freedom fighters and post independent problems these should have fallen under the framework of the reconciliation mantra under the GPA.

Because of the role of the ruling elite in some of the issues they want it to be swept under the carpet yet some will still want to unravel those issues. For instance Emerson Mnangagwa came out recently and claimed that the Gukurahundi issue is a closed chapter but how can it be a closed chapter when it is still fresh in the memories of the victim some who still believe that it was meant to totally exterminate the Ndebele from Zimbabwe. It is very difficult for people to be reconciled when the leadership does not show any remorse to their actions. Some have not yet forgotten and forgiven the war veterans for loss of livestock during the war while others were raped and bore children from that rape and those children still do not know their fathers thus these people are still alive and want justice to done. As long as they are alive they still have memories they are not reconciled to their enemies. The current

reconciliation will not yield meaningful results. There is still ZANU PF and MDC violence despite the prevalence of the organ

A stable peace unity and reconciliation in Zimbabwe will remain a distant dream as long as the sad legacy of violence and discrimination against an ethnic/regional minority is not dealt with in a genuine and thorough process of reconciliation. This will need to be historically all-encompassing and deal with issues of justice across a range of political, social and economic acts, involving not only the communities and races in Zimbabwe, but also the global and colonial actors implicated in this drama over the past century.

There was no doubt, very good reasons to avoid explicit retributive justice in the Zimbabwe of the early 1980s. However, other less menacing strategies were available to the new elites that include a fair degree of truth-seeking, forms of restorative justice, reparation of the damage inflicted to the victims, and the fight against economic inequality. The white heirs of the Rhodesian regime and the black leaders preferred to impose a shallow, “cheap” form of reconciliation without historical, restorative or economic justice. Cheap, imposed and based (for whatever pragmatic reasons) on amnesia and impunity – in such a form, reconciliation can only damage fundamentally. As long as there is no justice victims will always seek revenge and the current process is elite driven and as such the elite have not suffered from past injustices thus they have not experienced the degree of suffering that the poor have suffered.

Perhaps most importantly, security sector reform has yet to begin. Because civilian-military relations lie at the heart of Zimbabwe’s fraught power-sharing experiment, we devote special attention to this topic here. A leading security sector specialist declares that, “Zimbabwe’s security sector is both the lock, and the key, to the success or failure of the GNU” and asserts that “de-politicizing and re-professionalizing the military is a

critical objective, but cannot be done overnight” (Chitiyo 2009). And yet, the MDC is under tremendous pressure to reign in the security forces, a matter of considerable interest to external stakeholders. For example, the U.S. Senate recently called for “civilian control over security forces” as one of the preconditions for full normalization of relations between Zimbabwe and the United States (U.S. Senate 2009).

Prior to the transition, top leaders of the defence forces vowed publicly not to recognize Prime Minister Tsvangirai in any official capacity. Some security chiefs – the Commander of the Zimbabwe Defence Forces, the Commissioner-General of Police, and the Commissioner of Prisons – still refuse to salute him. These holdouts from the old order have also declined to attend milestone events in the life of the transitional government, including the inauguration ceremony for the Prime Minister and official gatherings to launch the *Short-Term Economic Recovery Program* and *100-Day Plan*. Thus, Zimbabwe’s transitional government inherited a deeply politicized security establishment whose loyalty to elected civilian leaders is in open doubt.

In accordance with the power-sharing deal, a National Security Council (NSC) with multiparty civilian representation was intended to replace the Joint Operations Command. Chaired by the President, it has as its membership the two national Vice-Presidents (ZANU-PF), the Prime Minister and his two deputies (MDC), ten other ministers, five security chiefs, and two top bureaucrats. The Act specifies that the Council reviews national policies affecting security, defence, law and order (nationally, regionally and internationally) and directs appropriate action.

The Act provides for at least one NSC meeting per month and for decisions to be reached by consensus. Although the Act establishes the Council’s supremacy over any law other than the Constitution, it applies only for the duration of the transitional government and therefore will cease to have effect on the date on that the GPA terminates. In practice,

six months passed before the NSC held a formal introductory meeting. But it transacted no serious business and now only meets sporadically. Given the improbable requirement that its decisions must be made by consensus, the NSC is an unlikely vehicle to engineer the necessary security sector reforms. In reality, the civilians in the MDC lack the expertise and authority to compel the military to renovate itself (Pion-Berlin 2005, Trinkunas 2005).

Unlike ZANU-PF, that had a military wing when it gained power in 1980 and could therefore bargain effectively with the generals in the Rhodesian Security Forces, the MDC has no armed structure. As Chitiyo notes, the MDC is “an overwhelmingly civilian organization that will have to learn the language of the military if it is to engage with them” . Thus, Prime Minister Tsvangirai seems to have tacitly resigned himself to playing second fiddle to President Mugabe with regard to the critical security sector. As long as the likes of Brigadier Douglas Nyikayaramba continue to utter political statements to the effect that they will resign if Tsvangirai wins the next election then reconciliation in Zimbabwe remains bleak.

The past has many layers. This fact needs to be acknowledged before addressing the past through a reconciliation process. Many violent conflicts and wars are not simply the outcome of one particular set of recent circumstances that led to violence. For example, reconciliation processes in Latin America often focus quite naturally on the violence of a particular military regime, but a full understanding of many of those conflicts also requires an investigation of the much longer history of the treatment of indigenous people at the hands of settler cultures.

In Croatia, the focus of reconciliation is on the violence of the war in the 1990s, but no reconciliation process could function properly without the understanding that there is a long history of violent episodes between the opposing sides, and that the oppressor side at one stage has also been the oppressed at other times. The Zimbabwean GPA is specifically

focused on the 2008 violence yet some even pressing issues need to be addressed from mysterious murders of the liberation struggle, Matebeleland violence and alleged CIO disappearances. All these issues needs to be addressed yet no one is willing to have them addressed thus people will not reconcile as long as they still feel grieved and want closure.

The same applies in Rwanda and Burundi, where the tables have been turned more than once over time, so that the victims of one outburst of violence have become the perpetrators of the next. This clearly raises the question of the period of time the reconciliation process should cover. Does it refer only to the latest outbreak of civil war or violence? If it does, will that leave unresolved the atrocities committed at another time by another group? How far back in history should a reconciliation process reach? Is living memory the realistic limit? Or can, and should, amends be made for historic wrongs? There are no easy answers, that such complexity must be thought through and resolved, even if there are apparently logical arguments for reducing the problem to the least complex form, that seems most amenable to a solution. A realistic balance must be struck that takes into account all the conflicting claims on justice, all the differing demands for truth, and all the pain and suffering that may arise from the many layers of a complex social history.

More global factors may impact as well. For example, in some regions, especially in Africa, the pre-independence history of a country will have a vital role to play in explaining the dynamics of post-colonial conflict. In many situations the cold war will have been a factor. While the greater, global agenda of East-West ideology inflamed many violent conflicts, it also acted as a fire blanket on others, keeping them “on hold” so that those involved were released only in the 1990s to continue their struggle on their own terms. Conflict analysis is always complex and

wide-ranging, and the analysis that underpins the reconciliation process must be no less nuanced and extensive.

There is considerable debate concerning the starting point for transitional justice mechanisms. The post-March 2008 electoral violence was the latest of several periods of violence. The others include, but are not limited to: resistance to colonial intrusion, the liberation war, the gukurahundi massacres, the land invasions of 2000 onwards, and Operation Murambatsvina (ICTJ *et al.*, 2008). While it would be practical to focus on political repression since 2000, there are concerns about leaving earlier periods out.

These earlier periods are considered important to develop historical understandings of processes of state and community violence, and because it is believed that a culture of impunity developed from these earlier periods (Eppel and Raftopoulos, 2009; Zimbabwe Human Rights NGO Forum, 2009). The specific choice of dates and periods for national healing generally seemed to be motivated by individual and group experiences (Zimbabwe Human Rights NGO Forum, 2009).

In situations where ethnicity is an issue in the choice of time coverage (e.g. Shona advocating for the most recent period and Ndebele concerned with the 1980s), it is important to give consideration to the different periods to prevent a divisive dialogue (ICTJ *et al.*, 2008; RAU, 2009b). Ultimately, the question of who decides what to „remember“ and what to „forget“ can be very political (de Plessis and Ford, 2009). The current political experience is not forthcoming when it comes to taking a broader perspective of the conflict it just dealing with surface issues to the conflict.

The ethnic differences in Zimbabwe are broadly reflected in geographical location, for instance, in the physical separation of the Ndebele and the Shona to specific parts of Zimbabwe. It is difficult to

generalize about the effect of geography on conflict, except to say that either situation can work positively or negatively in creating the space for reconciliation, and so must be taken into account when planning for a reconciliation process.

Geographical separation can make it easier to coexist, or that very distance can make it more difficult to generate the interaction that could lead to cooperative relationship- building. On the one hand, “good fences make good neighbours”. On the other hand, it is virtually impossible for people to challenge their negative images and stereotypes of a former enemy to engender better understanding and a minimum of respect if they do not encounter them as a human

It is difficult to generalize about the effect of geography on conflict, except to say that either situation can work positively or negatively in creating the space for reconciliation, and so must be taken into account when planning for a reconciliation process. As long as Zimbabwe is divided into Shona Ndebele Karanga tribalised region group identity will always rule supreme over national identity. Matebeleland will always identify itself as victims of Gukurahundi while the Shona will also have differing views over the Ndebele.

Geographical separation can make it easier to coexist, or that very distance can make it more difficult to generate the interaction that could lead to cooperative relationship-building. On the one hand, “good fences make good neighbours”. On the other hand, it is virtually impossible for people to challenge their negative images and stereotypes of a former enemy to engender better understanding and a minimum of respect if they do not encounter them as a human.

The problem with the Zimbabwean situation now is that it has transcended geographical context. It has moved from being a Matebeleland and Mashonaland problem but has changed to village

against village, family against family and brother against brother thus a lot of players are now involved that makes it difficult to have lasting reconciliation. The 2008 political violence was a countrywide phenomenon that affected the generality of the population

The government's frequent claims of external plots to destabilize Zimbabwe encompass a long and increasingly irrational list of saboteurs, such the International Monetary Fund, the British government, and an international gay conspiracy. In occasional bouts of official schizophrenia, the government sometimes combines these threats, such as President Robert Mugabe's public rant against Tony Blair as the "the gay government of the gay United gay Kingdom." Another recent example is the claim in the *Herald*, a government mouthpiece, that the US, at the behest of the UK, is now controlling the weather to cause a drought in Zimbabwe. While these outbursts suggest either cynical propaganda or growing paranoia among the leadership, they are simply not credible explanations of the crisis.

A less hysterical version of external blame could be related to the cutoff of international aid. Certainly, donors have withdrawn hundreds of millions of dollars in aid from Zimbabwe and the government could plausibly argue that this precipitated the crisis and contributed to violence. Even Bulawayo province governor Cain Mathema went on to claim that the British were responsible for the Gukurahundi shows that the future of reconciliation in Zimbabwe is bleak as there is no acknowledgement from those responsible and is an assault on those who suffered and continue to suffer due to the crisis.

Thus while the country is under western sanctions the government continues to use this as an excuse to trample upon the people with impunity. ZANU PF in particular has devised a method of dividing the people along political lines and anyone holding views contrary to theirs is an agent of the West. Through the public media many people are

constantly labeled as sellouts. While in Masvingo Jabulani Sibanda the war veterans leader labeled Tsvangirai a snake that should be killed. This makes it difficult to envisage a situation where Zimbabweans are reconciled. While there is an inclusive government the leadership is not united with Tsvangirai describing the government as dysfunctional while ZANU PF continues to accuse Tsvangirai of running a parallel government which shows that reconciliation is far from being achieved.

Instead of taking stock of its past rule ZANU PF has created a situation where every outsider is evil. Thus there is no reconciliation between the West and the former ruling party which transcend down to the grassroots as people are forced to toe the party line. In the present situation the focus should be on internal cohesion and not on imaginary enemies because violence against each other is not as a result of foreigners.

In Zimbabwe one critical factor that comes into play when considering issues of reconciliation is the role of the international community in facilitating transitional justice. In the absence of a broad-based international involvement, the parties to the conflict may be limited to the option of trading justice for reconciliation and peace as a way of avoiding continued violence. Those who support the discourse of non-interference argue that in most cases, international actors do not speak with one voice as they have their own interests and agenda regarding transitional justice processes.

In the case of Zimbabwe, those who oppose the involvement of the international community in the transitional justice process argue that their agenda is limited to regime change by undemocratic means. There is also the view that long-lasting reconciliation and peace needs to be home-grown in the sense that every stage of the reconciliation process should reflect the will of those who are directly concerned with regards

to participation, decision making and the implementation of the reconciliation and national healing project.

Whilst such questions are open to debate, past cases have shown that the involvement of the UN or SADC has been successful in cases where social and political spaces are constrained and world concern over the situation of human rights violations and human security were high and persistent. Conditions for successful reconciliation national healing and reconciliation to achieve the desired objective of uniting the fractured social and political groups, certain factors must be present.

Legislative Reform would ensure that the concerns of all Zimbabweans are assuaged. The process of recommending specific services to deal with the particular and extensive effects of trauma and grief requires secured legislative backing through the setting up of the National Healing and Reconciliation Commission. The National Healing and Reconciliation Commission would have to be secured by a bill passed through Parliament and enacted into an act of law. Such an act would allow the commission the discretion to: establish the time periods to be covered by the Commissions investigations; determine the nature of human rights abuses to be investigated; determine the social and economic effects of the abuses including recommending preventive and health promoting approaches, assessment, counseling, healing programmes and community interventions.

Political will is important in raking past atrocities and human rights abuses is an excruciating exercise. If badly managed, the exercise could backfire, and further widen the chasm in an already politically-fractured nation. Indeed, this fear often deters the introduction of just reconciliation processes where victims feel a genuine sense of satisfaction over the claimed entitlements. Hence, the political will to promote genuine reconciliation is paramount.

There should be transformative and restorative justice that is based on a theory that emphasises healing and the transformation of harm to the wholeness of people's lives. Emphasis is on repairing harm caused or revealed by criminal behaviour and is best achieved through cooperative processes that include all stakeholders. The fundamental principles are that justice requires that different categories of people work to restore those who have been injured and that those most directly involved and affected should have the opportunity to participate fully in the response programme. The role of government would be to preserve a just public order and secure and safe social and political spaces, while the role of the community would be to build, nurture and maintain a just peace. Such collaborative encounters would create opportunities for victims/survivors, offenders and community members to discuss their personal experiences of atrocities and their impact and opportunities for meaningful contribution in their own lives and society.

True reconciliation cannot occur when the truths about past wrongs are not told. Truth-telling encourages the verification of past repressive actions and incidents by individuals and government. The process may also challenge stories widely, but inaccurately, circulated in the public domain as rumour. Knowledge of the truth helps to set the record straight and creates an environment where forgiveness may occur. As the South African Truth and Reconciliation Commission revealed, the value of telling one's traumatic story to a supportive audience provided a significant sense of healing to the survivors of apartheid. In this sense, the right to be heard and acknowledged with respect and empathy can contribute to a process of healing.