HARARE – In present day Zimbabwe, Robert Mugabe, the leader of the former ruling party, Zanu PF, has absolutely no power to call for a national election or referendum as and when he wishes.

After Mugabe lost the election on 29 March 2008 and the subsequent military intervention, Zimbabwe sunk into political vacuum which was only filled on 15 September 2008 by the Global Political Agreement (GPA) which substantially wiped out Mugabe’s powers.

Under the new arrangement, brokered by SADC, Mugabe lost a huge chunk of his clout as a lone warrior in that he was forced to surrender executive authority and power to the Rt. Hon. Morgan Tsvangirai, the Prime Minister.

What this means is that Mugabe lacks the capacity to make unilateral decisions on behalf of Zimbabwe without consulting Prime Minister Tsvangirai on all facets of governance and state affairs. As the loser in the 29 March election, Mugabe needs President Tsvangirai more than anybody else in order to remain relevant in Zimbabwean politics.

With the GPA now the main guideline to Zimbabwe’s supreme law, the Constitution, Mugabe can forget about his previous position as the main agenda setter and a determinant of the people’s fate.

Much as Mugabe’s private advisors in the civil-military junta may wish, the reality is that anything done by the Inclusive Government, or on its behalf, without the explicit approval and endorsement of Executive Prime Minister Tsvangirai – the only Zimbabwean leader today who enjoys a clear Constitutional power, legitimacy and a combined national muscle of the people – has no legal force or effect.

The maintenance of a dishonest mentality that Mugabe is firmly in control can only be self-serving, temporary, and designed to delude and to deceive a shrinking Zanu PF political sect and other lumpen elements, still infected with national guilt, violence-stained, and in perpetual denial.

Against that background, last weekend’s public statements in the Zanu PF press and on state radio and television by Ragare Gumbu, the Zanu PF information secretary, and by Mugabe himself that there shall be a referendum in April and a national election in June are totally false and misleading.

The statements may indicate the thinking inside a Zanu PF wish-list, but beyond that, they remain devoid of any substance or essence.

For the avoidance of doubt, when the GPA became Amendment 19 of the Zimbabwe Constitution, it overtook any other provision that may be in conflict with the changed circumstances. Amendment 19 takes precedence, overrides and makes nonsense of any part of the Lancaster House Constitution that is in conflict with the letter and spirit of the GPA.

Together, united, winning, ready for real change!
HARARE - President Tsvangirai today launches the MDC outreach programme designed to explain to the people 18 months of GPA violations by Robert Mugabe and Zanu PF that have led to the current stalemate by Robert Mugabe and Zanu PF that people 18 months of GPA violations 

MDC leaders consult the people on looming constitutional crisis

Illegal acts and open violations of the GPA

- Mubage’s unilateral, illegal and unconstitutional appointments of provincial governors (last week); the central bank governor Gideon Gono (26 November 2008) and Attorney-General Johannes Tomana (7 December 2008); five High Court judges (20 May 2010); and the Police and Ministers Service Commission. 

- The appointments violate the Constitution of Zimbabwe which clearly states in Section (20.1.7) that: “The parties agree that with respect to occupants of cabinet positions, such as Permanent Secretaries and ambassadors, the leadership in the government comprising the President, the vice Presidents, the Prime Minister and deputy Prime Ministers, will consult and agree on such prior to their appointments.”

- For this reason, the MDC maintains that those ambassadors, other illegally appointed public officers, and service commissions cannot make representations, or act on behalf of Zimbabweans.

Unilateral changes to ministerial mandates and general executive abuse.

The Constitution-making process

- The involvement of the military in the Constitutional outreach programme has affected the quality of submissions, perpetrated a climate of fear and subverted the people's inalienable right to freedom of expression.

- The experience so far requires a fresh look at the whole process as indications so far point to a Constitution-making process that Mugabe, the military and Zanu PF has interfered with. Violence and intimidation was rampant in outlying areas, resulting in a flawed process.

- The need to redress the legitimacy of the Inclusive Government is necessary. This has to be done by challenging Mugabe on all areas in which state instruments are used in GPA violations.

Mugabe’s refusal to swear in Roy Bennett

- In terms of the GPA, Mugabe does not have veto power over an MDC choice of a ministerial candidate. At first Mugabe said he wanted Hon. Bennett to be cleared first. When this happened, Mugabe still maintains that he does not intend to swear in Hon. Roy Bennett as the Deputy Minister of Agriculture. This is a violation of the letter and spirit of the GPA.

- The matter of Roy Bennett has now become a personal vendetta and part of a racist agenda.

SADC’s responsibility

- President Tsvangirai has notified President Zuma, in his capacity as the SADC-appointed facilitator, of Mugabe’s continued intransigence over the outstanding GPA issues and fresh violations of the Constitution.

- The intention is nudge Mugabe to respect the GPA violation, the SADC Treaty and Protocols, the AU Charter, the GPA and principles of democracy.

- President Tsvangirai has further invited SADC to urgently intervene to restore Constitutionality in Zimbabwe.

MDC’s position on elections

- Independent Commissions must be fully functional before a credible election is possible.

- A new Constitution must be in place that grants the people essential freedoms and enable them to elect a government of their choice in a climate of total safety and security.

- The process determines the election date. What has to be done is to make sure that free and fair election must be done before an election date is plucked out of the air. In terms of the GPA, the timelines and process must be negotiated and agreed in order for Zimbabwe to restore its legitimacy.

The MDC outreach programme is a countrywide exercise in which the people shall have the above say and advise the party on the way forward. It is a highly consultative and robust forum in which all opinions matter for the ultimate adoption of a solid policy position by the party.

Zimbabweans must ignore Mugabe’s election tantrums

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Article 20.1.1 is very specific and unambiguous: “The Executive Authority of the Inclusive Government shall, subject to the Constitution and legislation, exercise executive authority subject to the Constitution and the law. The Prime Minister shall exercise executive authority subject to the Constitution and the law.”

“In the exercise of executive authority, the President, Vice Presidents, the Prime Minister, the Deputy Prime Ministers, Ministers and Deputy Ministers, must have regard to the principles and spirit underlying the formation of the Inclusive Government and accordingly act in a manner that seeks to promote cohesion both inside and outside government.”

The GPA further states, among the clauses, that define the role of the Cabinet, especially provision (f) that in applying in executive action, the Cabinet must take decisions by consensus, and take collective responsibility for all Cabinet decisions, including those originally initiated individually by any member of Cabinet.

It therefore follows that as the two most senior members of Cabinet, both Mugabe and the Executive Prime Minister Tsvangirai, must work together and agree on which course of action to take when dealing with burning national issues like the referendum and the election.

“The President and the Prime Minister will agree on the allocation of Ministries between them for the purpose of day-to-day supervision.” With this clearly cut out position, why would Mugabe appoint provincial governors unilaterally?

The Zanu PF argument is that Mugabe simply “extended” their term of office. This is a weak and poor attempt at justifying the appointment of provincial governors unilaterally.

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While clause 20.1.3 (o) mandates Mugabe to appoint service/executive commissions in terms of the Constitution, it stipulates that this must be done in consultation with the Prime Minister. Nowhere in the Amendment 19 does it give Mugabe the sole discretion to do as he pleases, like what he did with the recent appointment of the police service commission.

Leading Constitutional experts told The Real Change Times that Zanu PF was deliberately misinterpreting the law to suit its own political agenda, unnecessarily creating a crisis through such recklessness.

“Zanu PF is speaking politically not legally when it comes to issues concerning the operations of the inclusive government. It is nonsense for Zanu PF to say Robert Mugabe has the power to make senior appointments without consulting the Prime Minister and the Cabinet, said Dr Lovemore Madhuku, a constitutional law expert.

Madhuku was reacting to Gumbo’s utterances indicating that the Lancaster House Constitution, as amended, takes over the latest Amendment 19, or the GPA, should there be a dispute over the interpretation of its provisions.

Other experts noted that Amendment No.19 gave away a large chunk of the Lancaster House Constitution to the GPA.

MDC Chief Whip Innocent Gonese said the GPA was now part of the Constitution and should be respected by every citizen. Zanu PF is no longer the party in power. There is a transitional arrangement to pave the way for a new political order after Zanu PF failed to form a government on 27 June 2008 because of illegitimacy.

Until a properly planned election programme is in place, with sufficient safeguards and transparent benchmarks, Mugabe is unable to call for any plebiscite on his own or as leader of Zanu PF.

While setting a political agenda may be the Mugabe’s preferred and nostalgic option, Zanu PF officials and supporters must be reminded that Zimbabwe – after 29 March 2008 – is no longer a country in which the nation would never allow a single party to the GPA, a party they rejected in that landmark, to impose its will.

President Tsvangirai has already informed SADC, as undersigners of the GPA, of the looming Constitutional crisis in Harare. In his capacity as executive Prime Minister, he has further advised the UN Secretary – General, Ban Ki-Moon, and the president of the European Union Commission, Jose Manuel Barroso, over the legitimacy of the new government.

Mugabe’s spokesman George Charamba told the local media that any action against the illegally posted diplomats does not bother Zimbabwe. This is totally untrue, for if that was the case, why do Mugabe and Zanu PF always moan, respect SADC’s Resolutions being denied access to the West.

Leaders of countries classified, universally, as having the lowest respect for civil order and good governance like Somalia, Burma and Chad hardly whine about being disallowed entry into London or Washington.
Police to get forensic lab - Makone

HARARE - Hon. Theresa Makone, a Cabinet Minister, says women must unite, lead, control parliament and direct national policy to reform society, wash out gender bias and remove any forms of prejudice.

The MDC Women’s Assembly chairperson and co-minister of Home Affairs, Hon. Makone returned last week from Berlin, Germany where she had an opportunity to meet with powerful women from the Social Democratic party of German.

“We women in Germany are united, despite their different political affiliations and work towards advancing women and children’s rights. I learnt that competition amongst women pulls them down, we have more impact when we work together,” she said.

She added that through working together women can pull each other to the top as they are majority voters in the country and they can elect each other into parliament ensuring that women claim their space in power dynamics.

Hon Makone said the trip helped her appreciate her ministry more than ever as she got the opportunity to meet with officials from the Ministry of Interior which in Zimbabwe is the Ministry of Home Affairs. She toured the offices of the ministry of interior and got a feel of the operations of a typical German police department when she met with the Berlin deputy chief of police

“I was quite impressed that the police in Germany ran their own police force museum showcasing the history of the police force. It was impressing such that I hope to have a similar museum in Zimbabwe,” said Hon. Makone.

During the trip, Hon. Makone was able to make a request for a forensic laboratory from the Berlin police, who were very keen to facilitate setting up of the laboratory in Zimbabwe.

“The forensic laboratory will go a long way in curbing unjustifiable arrests. If you cannot test for DNA, blood or anything picked from a crime-scene, police end up beating up suspects until they submit to doing things they would not have done.

“By the time the police discover a person’s innocence, it would be too late and they would have been denied justice and lost a few years of their time. This will be an opportunity for Zimbabwe to join other advanced countries’ understanding of the art equipment for crime detection,” she said.

Hon. Makone said this was the preliminary trip for the women’s assembly as more trips have been lined up that will see the women’s assembly team visiting other countries to exchange experiences and share ideas.

BULAWAYO Hon Thokozani Khuphe last week launched a financial literacy module in her constituency in Makokoba.

Hon. Khuphe said many women are failing to make it in business not only because they do not have collateral security or because the economic situation is still hard, but because they were failing to understand how they can manage and prosper with little resources.

“I am launching this project today to help women understand and believe in planning in every business venture,” she said in her address to the first 50 women to under-go the one day training.

Hon. Khuphe, who usually refers to women as the most spenders and consumers in business, added that borrowing was not for shopping but for investment.

“It is important to gain in every transaction especially in borrowing.

“As women we need to learn to save money for all situations like funerals and sickness, to be responsible parents.

“You can invest from as little as a dollar understanding that we grow and prosper in business step by step,” Hon. Khuphe said

The first beneficiaries of the project were 50 women from her constituency whom she gave $100.00 each and encouraged them to invest the money and to support each other in business.

“What we are saying is that we cannot give money to the youth without giving them the necessary skills and training. So we are trying to empower them through training in agriculture, metal fabrication, carpentry - among other activities to empower the youth technically,” Matutu, who is the MP for Masvingo Urban, said.

He castigated the ward youth officers who are working on behalf of Zanu PF in terrorising and harassing villagers.

“If they are to be part of the ministry and the Public Service, then the issue of re-orientation needs to be looked at so that the youth officers do not become the source of conflict within wards they are operating from. Most of them are political activists in their own rights and they feel they should advance the Zanu PF agenda and this is not healthy for the development of our young people”

Matutu said that change has been noted but there is still need to do more activities for the youth, in an unselective manner so that everyone has an opportunity to develop themselves and ultimately develop and empower our nation at large.

“We cannot take this country forward as long as politicians use the youth to commit acts of violence, destabilising this country and suppressing views of other political parties. It is quite critical that youth should know they are not there to be used by politicians for a beer.”

“Wait to encourage the youth to approach and tell the Ministry how they want us to improve our conditions. We need them to share their grievances. The police department is not a political party and anyone should feel free to visit us no matter their view points, and they will be listened on board,” Matutu said.

HARARE – Indigenisation must never be reduced to a perpetuation of business as usual, but as a process where the disadvantaged majority should venture into existing enterprises, a deputy minister has said.

Tongai Matatu, the Deputy Minister of Youth Development, Indigenisation and Empowerment, said Zimbabwe was still on the recovery path after years of misrule and plunder of the country’s resources by the former Zanu PF regime.

As a result his ministry’s main priority was to empower the youths as this would go a long way in turning around the economy of this nation.

“The subject of empowerment, if it is carefully and transparently carried out, will do wonders. If it is carried out without the aspect of political patronage, it will definitely turn around the economy of the country,” he said.

“Our policy on empowerment is that it should empower the villagers, women, the youth in both rural and urban areas, students and churches. It should empower virtually everyone,” he said.

Matatu said that the youth in Zimbabwe were being empowered through various channels.

However, the major youth funding initiative is the Youth Development Fund, with funds coming from the Treasury.

“With this particular fund, youths with business ideas can apply for a loan and if their proposals are accepted, they get the financial assistance hence the promotion of our young people to contribute to the nation’s gross domestic product,” he said.

He however, bemoaned the cumbersome and frustrating process of acquiring the money from the banks saying the requirements were hindering on progress and not much has been done in most provinces.

“The banks are asking for collateral security, which is quiet heavy for our youth who do not have any collateral. In some areas like Mavingo, not a single project has been accepted yet the money is there. There people with ideas are there but they do not have the collateral,” he said.

Matatu said that his ministry was not only looking at economic empowerment only but empowerment through skills development as well.

“We are currently looking at the status of our vocational training centres, which train the youth in various technical studies. We have already visited Mashonaland East and Matriculacnd province. By the end of the month, we will have finished our visits and from there we will establish our areas of need,” he said.

The Minister of Finance, Tendai Biti, this year released US$1 million to the Youth Ministry for income-generating projects. At least US$800 000 has been released for loans and the rest has gone into the refurbishment of youth vocational training centres.

“The money has not done much, we are not happy with the process of acquiring loans from the banks as they are asking for collateral security which most of the young people do not have,” he said.

“The bank is not sensitive to the needs of the youth.” he added.

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I will not be intimidated - Mahbena

BULAWAYO-Norman Mahbena says the Mahbena family will not be intimidated by Zanu PF ruffians from submitting to their psychopathic demands days after laying to rest his brother. Since Sunday morning, the day after the burial of Welshman Mahbena, Norman has been receiving threatening calls from Zanu PF activists some speaking in Shona and others in IsiNdebele. The Mahbena family had earlier on insisted and went ahead to bury Welshman at Lady Stanley Cemetery in Bulawayo despite the deceased being declared a national hero. According to Mahbena, honoring his late brother's wish by refusing to bury him at the Zanu PF shrine, "alongside the thieves and crooks", did not go down well with some Zanu PF members resulting in the numerous threats. "They are accusing me of defying the presidents' order to have Welshman buried at the National Heroes Acre in Harare. The politicians is that while we are mourning our relative they are celebrating a plethora of state events, denouncing others and gain political mileage," said Mahbena. Mahbena says the phone calls keep coming in at different intervals but with restricted numbers with only one caller identifying himself only as Ndlovu. "These people have threatened me with death and it is typical of Zanu PF and the whole political system. If I should die the people of Zimbabwe and the world should know that it is them (Zanu PF) that have killed me," said Norman Mahbena who is MDC Secretary for Healing and Integration added that Zanu Zimbabweans should know that Zanu PF is a revolutionary party that eats its own children. He said, Zanu PF had ill-treated his brother during his last respects. "He was a committed cadre in the MDC fighter," said Mahbena. Mahbena said people have been receiving threatening calls since laying to rest his brother. One of these is Wellington Chibebe, Secretary General of the national trade union in Zimbabwe."

In the face of these pressures, Chibebe has worked unswervingly to turn the tide against "right" abuses in the workplace and against the government's attempts to suppress the right of freedom of association, becoming target of State brutality and persecution.

Chibebe - fearless defender of workers

Well, if Oppah says jump into an election now and rule forever, who am I to refuse?

Power outages to end - Mangoma

MANGOMA - The minister of Energy and Power Development, Hon. Mangoma has said the power utility Zimbabwe Electricity Supply Authority (Zesa) has started a rehabilitation programme that will put a stop to load shedding.

"As COSATU we have come to know and work with Comrade Chibebe on issues of democracy and human rights violations in Zimbabwe, as well as issues of mobilising citizens to take action for democratic movement, global justice and workers' rights," said Chibebe's deputy international relations secretary.

"We know from our own experience his courage, passion and firmness of purpose. We believe the African trade union movement in particular and the global trade union movement in general have an asset in him and we are yet to see more of his outstanding contributions as we intensify our struggle for justice."