



## **Report**

**on**

## **Capture of Zimbabwean Traditional Leaders for Political Expediency**

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## (1). Introduction

There is a growing trend unfolding in which Zimbabwean traditional leaders are being recruited into politics and furthering the interests of certain political parties. More to the point, traditional leaders have largely been perceived as being part and parcel of political campaigns, and in many cases they have acted in a partisan manner, to appease their newfound political bosses.

This behavior is deemed to be against Section 281 (2) of the Constitution of Zimbabwe which states that traditional leaders **must** not:

- Be members of any political party or in any way participate in partisan politics;
- Act in a partisan manner;
- Further interests of any political party or cause;
- Violate the fundamental rights and freedoms of any person;<sup>1</sup>

To this end, the Constitution, as the supreme law of the land, sets out standards that all traditional leaders must follow, taking into account the fact that any law, practice, custom or conduct inconsistent with it is invalid.

This report has been compiled in the wake of increased concerns that traditional leaders have been roped-in to further the interests of certain political parties in Zimbabwe ahead of the 2018 General elections.

## (2). Capture of Traditional Leadership for Political Expediency

On the 28<sup>th</sup> of October 2017, during the official opening of the 2017 edition of the National Annual Conference of Chiefs held in Bulawayo, Zimbabwe, the President of the Chiefs Council, Chief Fortune Charumbira, announced his endorsement and support for President Robert Gabriel Mugabe's candidature in the 2018 polls.<sup>2</sup>

Many people were incensed with this kind of behavior displayed by chiefs, people who are not supposed to be politically affiliated whatsoever. It is because of this uncalled for behavior that the then Prime Minister, Morgan Tsvangirai once decried over Charumbira's decision to endorse President R.G Mugabe's candidature in

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<sup>1</sup> Section 281 (2) of the Constitution of Zimbabwe

<sup>2</sup> Zimbabwe Broadcasting Corporation (2017) Chiefs endorse Pres Mugabe's candidature. [online] Available at <http://www.zbc.co.zw/2017/10/28/chiefs-endorse-dr-mugabes-presidential-candidature/> [Accessed on 31 October 2017]

elections likely to be held in 2018 yet they are supposed to be apolitical and also the fact that it is unconstitutional for chiefs to behave in that manner (Ncube 2013).<sup>3</sup> This matter of Chiefs being applauded to defy the Constitution has not started now, it is alleged that the Zimbabwe National Army, Major General Douglas Nyikayaramba once ordered traditional leaders to play a leading role in ensuring that President R.G Mugabe wins in the 2018 elections. (Zimbabwe Daily 2017).<sup>4</sup>

Instead of such actions being condemned by the government, it is sort of rewarding such behavior as exemplified by the Minister of Local Government, Public Works and National Housing, Cde Saviour Kasukuwere who after Charumbira's declaration, re-affirmed government's commitment in improving the welfare of traditional leaders saying new vehicles were soon to be handed over to chiefs in Harare (News dzeZimbabwe 2017).<sup>5</sup> It has been alleged therefore that this was a capitalistic move by the government in order to buy votes from chiefs as they are people of great influence and significance in their different communities (Gutu 2017).<sup>6</sup>

Judging by the unfolding of such events, it has become vivid that the ruling party has realized just how much Chiefs are a vital cog in ZANU PF's electioneering machinery ahead of the 2018 Presidential Elections and to capitalize on this, President R.G Mugabe did not only assign Isuzu vehicles to chiefs but he proceeded to giving them land, hence the questions as to why Chiefs are being recognized and given gifts in such a time towards elections. One wonders whether it is mere coincidence or it is political patronage looming behind closed doors.

Some legislators have however refused to be toothless bulldogs in matters concerning the privatization of a state, by a person or a political party. Independent legislator for Norton, Hon. Temba Mliswa has vowed to take Chiefs' President

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<sup>3</sup>Ncube,X (2013)Tsvangirayi warns Chiefs.Available at <https://www.dailynews.co.zw/articles/2013/07/24/tsvangirai-warns-chiefs> (Accessed on 31 October 2017)

<sup>4</sup> Zimbabwe Daily (2017) Nyikayaramba orders chiefs to vote for Mugabe Available at <https://www.thezimbabwedaily.com/news/156943-nyikayaramba-orders-chiefs-to-vote-for-mugabe-2.html> (Accessed on 31 October 2017)

<sup>5</sup> News dzeZimbabwe (2017) Broke GVT Buys 266 Vehicles for Chiefs.Available at <http://www.newsдзеzimbabwe.co.uk/2017/10/broke-govt-buys-226-cars-for-chiefs.html> (Accessed on 31 October 2017)

<sup>6</sup> Gutu,O (2017) Pampering chiefs with vehicles a clear vote-buying gimmick. Available at <https://www.newsday.co.zw/2017/10/pampering-chiefs-vehicles-clear-vote-buying-gimmick/> (Accessed on 30 October 2017)

Charumbira to court for urging fellow chiefs to vote for the ruling party in the coming elections. Mliswa condemned Charumbira's actions claiming that he is a threat to credible elections by getting excited over a car, and he proceeded to say shame on him (Tayana 2017).<sup>7</sup> The Zimbabwe Movement for Democratic Change (MDC) has also expressed its concern of how traditional chiefs are allowing themselves to be pawns in the game of politics whose loyal support can be easily bought by goodies such as cars, and luxuries such as being taken to hotels and given allwanaces, instead of maintaining and upholding the fabric of the society so that the Zimbabwean national identity and culture can be passed from one generation to another (Gutu 2017).<sup>8</sup>

The announcement made by Chief Charumbira, supported by the government is highly unconstitutional<sup>9</sup> and it can be termed illegal, a clear violation of Chapter 15 section 28 (2) of the constitution which stipulates the code of conduct of chiefs (Tayana 2017)<sup>10</sup>

### (3). Conclusion and Recommendations

What is indisputable is that traditional leadership as an institution has been captured by political parties such as ZANU PF political party. The traditional leadership has been used in political campaigns for a very long period of time and this has been taking place with impunity. The Constitution is the supreme law of the country and as such obligations imposed by the Constitution are binding on every person, natural or juristic, including the State and all executive, legislative and judicial institutions and agencies of government at every level. Conversely, Chief Charumbira has been on record undermining the founding values and principles of the Constitution such as

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<sup>7</sup> Tayana (2017) Mliswa vows to take Chiefs to court for supporting ZANU PF. Available at <https://news.pindula.co.zw/2017/10/31/mliswa-vows-take-chiefs-court-supporting-zanu-pf/> (Accessed on 30 October 2017)

<sup>8</sup> Gutu ,O (2017) MDC-T says chiefs should not be ZANU-PF political commissars. Available at <https://www.thezimbabwedaily.com/news/161238-mdc-t-says-chiefs-should-not-be-zanu-pf-political-commissars.html>. (Accessed on 30 October 2017)

<sup>9</sup> Chapter 15 section 28 (2) of the Constitution states that traditional leaders must not:

- Be members of any political party or in any way participate in partisan politics
- Act in a partisan manner
- Further interests of any political party or cause
- Violate the fundamental rights and freedoms of any person

<sup>10</sup> Tayana (2017) Chief's endorsement of Mugabe's candidature is illegal. Available at <https://news.pindula.co.zw/2017/10/29/chiefs-endorsement-mugabes-candidature-illegal/> (Accessed on 30 October 2017)

supremacy of the Constitution and the rule of law to name but a few. In keeping with the above, the following recommendations are made:

- Chief Charumbira and other traditional leaders must immediately refrain from being members political parties or in any way participate in partisan politics. Further, they must not act in a partisan manner and further interests of any political party or cause;
- Chief Charumbira and other traditional leaders engaged in politics must be dragged to the Constitutional Court;
- Political parties must refrain from abusing traditional leaders