



UNITED STATES INSTITUTE OF PEACE www.usip.org

SPECIAL REPORT

1200 17th Street NW • Washington, DC 20036 • 202.457.1700 • fax 202.429.6063

ABOUT THE REPORT

On June 25, 2002, the U.S. Institute of Peace and the Center for Victims of Torture (CVT) convened a Current Issues Briefing entitled "Zimbabwe: The Mugabe Government and the Politics of Torture." Our principal purpose was to shed light on an issue that has drawn little attention from the media or from governments: the widespread use of torture as a *political* tool by President Robert Mugabe's regime. "The purpose of torture," CVT says, "is to control populations, by destroying individual leaders and frightening entire communities."

The speakers at the June 25 Current Issues Briefing were Timothy Docking, Africa specialist and program officer in the Institute's fellowship program, who moderated the event; Douglas Johnson, director of the Center for Victims of Torture, who gave brief opening remarks; Tony Reeler, clinical director of Amani Trust; Ray Choto, Zimbabwean journalist and research fellow at Stanford University, who was tortured by agents of the Mugabe government in 1999 for refusing to reveal sources; and John Prendergast, co-director of the International Crisis Group's Africa Program.

This report was written by John Brinkley, director of public outreach at the Institute.

The views expressed in this report do not necessarily reflect those of the United States Institute of Peace, which does not advocate specific policies.

Zimbabwe and the Politics of Torture

Briefly . . .

- Since the disputed presidential elections of March 2002 (the results of which are widely regarded as illegitimate), turmoil in Zimbabwe has faded from the international community's attention, even though political and humanitarian crises there continue to worsen.
- Torture and politically motivated violence are rampant. The Mugabe government has enacted draconian laws to gag the media, restrict free speech, and discourage opposition. For example, a new law requires that any public meeting of two or more people must be authorized by police.
- The perpetrators of torture, according to experts, include agents of Mugabe's Zimbabwe African National Union–Patriotic Front (ZANU-PF) political party, police officials, agents of the Central Intelligence Organization, and, recently, members of the pro-Mugabe youth militia, who appear to have been schooled in torture methods.
- The country faces famine as a result of severe drought and farm seizures by the government. The World Food Program reports that 46 percent of Zimbabwe's population—more than 5 million people—face starvation.
- The prospect of increased violence and torture looms as the main opposition party, the Movement for Democratic Change (MDC), considers organizing mass protests against Mugabe's retention of power.

SPECIAL REPORT 92

AUGUST 2002

CONTENTS

Introduction	1
Current State of Affairs	2
Commercial Farm Workers	2
A Journalist's Experience	3
Impunity	3
Responses to Date	4
Policies for Addressing the Crisis	4
Conclusions	5

Introduction

The widespread use of torture is not a new development in Zimbabwe, noted the panelists. It dates to the 1970s war for liberation from the white-controlled government of Ian Smith and has been prevalent during various upheavals since then. Epidemiological studies taken in the mid-1970s found that about 10 percent of Zimbabweans over 30 had been tortured during the so-called Smith War.

Torture was also prevalent during the so-called Gokurahundi period of the 1980s, during which the North Korea-trained Five Brigade slaughtered about 20,000 people in Matabeleland. Amani Trust found that 50 percent of the adult residents of Matabeleland were tortured during that period.

ABOUT THE INSTITUTE

The United States Institute of Peace is an independent, nonpartisan federal institution created by Congress to promote the prevention, management, and peaceful resolution of international conflicts. Established in 1984, the Institute meets its congressional mandate through an array of programs, including research grants, fellowships, professional training, education programs from high school through graduate school, conferences and workshops, library services, and publications. The Institute's Board of Directors is appointed by the President of the United States and confirmed by the Senate.

BOARD OF DIRECTORS

Chester A. Crocker (Chairman), James R. Schlesinger Professor of Strategic Studies, School of Foreign Service, Georgetown University • **Seymour Martin Lipset** (Vice Chairman), Hazel Professor of Public Policy, George Mason University • **Betty F. Bumpers**, Founder and former President, Peace Links, Washington, D.C. • **Holly J. Burkhalter**, Advocacy Director, Physicians for Human Rights, Washington, D.C. • **Marc E. Leland**, Esq., President, Marc E. Leland & Associates, Arlington, Va. • **Mora L. McLean**, Esq., President, Africa-America Institute, New York, N.Y. • **María Otero**, President, ACCION International, Boston, Mass. • **Barbara W. Snelling**, former State Senator and former Lieutenant Governor, Shelburne, Vt. • **Harriet Zimmerman**, Vice President, American Israel Public Affairs Committee, Washington, D.C.

MEMBERS EX OFFICIO

Lorne W. Craner, Assistant Secretary of State for Democracy, Human Rights, and Labor • **Douglas J. Feith**, Under Secretary of Defense for Policy • **Paul G. Gaffney II**, Vice Admiral, U.S. Navy; President, National Defense University • **Richard H. Solomon**, President, United States Institute of Peace (nonvoting)

Amani Trust documented torture during 1998 food riots in the capital, Harare, during which Mugabe dispatched police and army units to quell the violence. "Massive amounts" of torture occurred—both in the streets and in detention settings, Reeler said.

Torture has been rampant since 1999 and has been used primarily against members and suspected members of the MDC, the main political party opposing Mugabe's presidency. Commercial farm workers, journalists, and others have also fallen prey. Indeed, it has become an unbroken cycle, used by the regime to control populations and suppress opposition to Mugabe and to democratization.

The Current State of Affairs

The Mugabe government and ZANU-PF use torture as a systematic means of clinging to power by destroying people physically and mentally and by wreaking terror on those who might threaten Mugabe's rule, said Reeler.

He added that there had been an "absolute onslaught" of torture after a failed constitutional referendum that ZANU-PF sponsored in February 2000 in the hope of cementing Mugabe's grip on power, and to break the back of the democratic movement. Reeler said torture had been entirely political in motivation and entirely associated with elections. During the months preceding the March 2002 presidential elections, Amani Trust documented a rise in torture cases to about 20 per day. Oddly, Amani officials found that reports did not decline after the election but, rather, increased to roughly 50 per day by the end of March. Some 90 percent of victims have been members of MDC. The remainder have been members of the legislature, teachers, trade unionists, and commercial farm workers.

Reeler said the only way for a Zimbabwean to assure that he will not be tortured is to be able to identify himself as a member of ZANU-PF. "I think it's no joke to say that in Zimbabwe, by our figures, probably 20 percent of the entire population has had intimate experience with torture."

Torture methods popular with ZANU-PF and others include beating the soles of victims' feet and subjecting various body parts to electric shock. Amani Trust has also seen many victims with ruptured eardrums, produced by percussive slapping of their ears. Reeler said this was not an incidental result of victims being hit on the head, but rather a deliberate and practiced slapping of the ears with the purpose of inflicting pain and long-term hearing damage.

Reeler said beating the soles of victims' feet was a newly popular torture method. He called this a "hard indicator" of torture in that it is impossible to beat a person that way without removing his shoes and restraining him.

Rape cases, which Reeler said could only be described as "political rape," are prevalent. The victims are typically women who belong to MDC, are married to MDC members, or are so suspected. Their attackers tell them that is why they are being raped. The prevalence of this is hard to document, however, because rape victims seldom come forward and report the assaults.

Commercial Farm Workers

One population that has recently begun to experience a high degree of torture is commercial farm workers, poor black Africans who live and work on farms belonging to white land-owners. Under a so-called land reform program that Mugabe initiated, large, white-owned farms are being seized and turned over to black Zimbabweans. These white-owned farms collectively employ hundreds of thousands of poor, black workers who lose their homes and jobs when the farms are seized. Thus, these people tend to oppose Mugabe and ZANU-PF and to support MDC and this makes them vulnerable to torture.

A recent Amani Trust study of farm workers who had been thrown off their farms found

that 71 percent of those interviewed—139 men and women—had been tortured in the recent past and 55 percent of children had witnessed the torture of adults.

“One could extrapolate from . . . studies of commercial farm workers that 400,000 of them and their families have been tortured,” Reeler said.

A particularly serious consequence is that many victims suffer from long-term psychological damage and require intensive psychiatric treatment. Amani Trust found that about 80 percent of commercial farm workers who had been tortured had “active, clinically significant, psychological disorder due to trauma.”

A Journalist's Experience

Independent journalists in Zimbabwe operate under severe restrictions on what they can report. Journalists who write articles that criticize Mugabe or otherwise offend the government are officially subject to arrest and imprisonment and unofficially subject to torture. A new law entitled the Access to Information and Protection of Privacy Act effectively criminalizes free speech. The Public Order and Security Act (POSA) criminalizes public meetings and the Law and Order Maintenance Act (LOMA) outlaws the publication of anything deemed “likely to cause alarm and despondency.”

“Every time you write a story, you are likely to be arrested, because [of] the way the law is worded,” said Ray Choto, formerly chief writer for the Harare newspaper *The Standard*. He was arrested in 1999 under LOMA for refusing to reveal the names of military officials he had met with while researching an article about a planned military coup and the subsequent arrests of 23 officers. He and his editor, Mark Chavanduka, were turned over to the military and tortured.

“We were beaten with wooden planks, forced to roll on wet tarmac,” Choto wrote in a 2000 report published by the Committee to Protect Journalists. “Our heads were forced into a canvas bag full of water. The military applied electric shocks all over our bodies. . . . Our tormentors told us that Zimbabwean president Robert Mugabe had signed our death warrants and I believed them.”

Choto and Chavanduka were not tried for their alleged violations. After their release from captivity, they mounted a civil court challenge. The Zimbabwean Supreme Court agreed that the section of the law under which they had been charged was unconstitutional and overturned it. The court also ordered an investigation of their detention and torture, but Choto believes the government neither has begun an investigation nor intends one. “The government cannot convince us that they are still investigating, when I handed myself over personally to the police,” he said. “The police handed me over to the military where I and my colleague were subsequently tortured. What are they investigating? They know who they turned us over to.”

Choto's case illustrates the cynical way in which the Mugabe regime has tried to repress free speech, frighten and injure its opponents, and undermine the process of democratization.

Impunity

Reeler said the prevalence of torture in Zimbabwe is directly linked to a culture of impunity. That is, after every spasm of war or social upheaval since the 1970s war for independence, a law has been passed forgiving all those who committed human rights violations and other excesses. Mugabe has also issued numerous presidential pardons.

“Torture is not merely a manifestation of the Mugabe regime, it has a long history,” Reeler said. “It's the way in which we Zimbabweans have elected to solve our political disputes. We don't have dialogue, we have violence. And when we have violence, we basically use torture. And when we're done with torture and with violence, then we forgive everybody.”

A recent Amani Trust study of farm workers who had been thrown off their farms found that 71 percent of those interviewed—139 men and women—had been tortured in the recent past and 55 percent of children had witnessed the torture of adults.

“Our tormentors told us that Zimbabwean president Robert Mugabe had signed our death warrants and I believed them.”

After every spasm of war or social upheaval since the 1970s war for independence, a law has been passed forgiving all those who committed human rights violations and other excesses.

Neither Zimbabwe's neighbors in southern Africa nor the international community has done much to try to ameliorate the crisis there.

This happened in 1975, when Prime Minister Ian Smith enacted a law forgiving the excesses of his security forces during the war for independence. It happened again in 1980 after Zimbabwe won its independence, and again in 1987 following the Matabeleland emergency. Mugabe has enacted clemency laws forgiving torture and other offenses in 2000 and 2002, and has issued a number of presidential pardons. Under the 2000 law, murder, rape, and "crimes of dishonesty" could be prosecuted, but kidnapping, burning down people's houses, and torture could not.

In addition to *de jure* impunity, human rights violators in the Mugabe government generally enjoy *de facto* impunity. Reeler said police simply refuse to investigate allegations of torture and murder, often saying the crimes are political in nature and therefore outside their jurisdiction. For example, Joseph Mali, a Central Intelligence Organization officer, faces charges for his role in the murders of two MDC activists—murders to which there were witnesses—after their release from captivity but no investigation has been started, Reeler said.

"We have not learned that torture's a terrible thing in Zimbabwe," Reeler said. "What we have in fact done is we've ensured that its victims are utterly silenced. That also, in our view, encourages repetition. I know of no way not to conclude that among Zimbabweans and in Zimbabwe, torture is an acceptable way to deal with political conflict."

Responses to Date from the Region and the World

Despite the courageous work of people like Ray Choto and Tony Reeler, little international attention has been paid to Zimbabwe's plight. One reason is that torture's after-effects generally are not visible—no body bags, as in the Balkans, or mutilation, as in Sierra Leone. Another is that western governments and media have been particularly focused on the Middle East and the war on terrorism. And a third, related to the second, is that Africa historically has not been a high priority for policymakers in the developed world.

Neither Zimbabwe's neighbors in southern Africa nor the international community has done much to try to ameliorate the crisis there, said John Prendergast. "The United States has barked, but not bitten, as has the European Union, South Africa, and Nigeria," said Prendergast.

South Africa and Nigeria said they would pursue quiet diplomacy before the March elections and would take a harder line after them in the absence of a response. They have not followed through. The two regional powers did facilitate talks between ZANU-PF and MDC, but ZANU-PF walked out of them.

The European Union said that if the elections were stolen, they would increase pressure against Mugabe. But they have not done so, and a feeling exists among member states that the Zimbabwe crisis is beyond responding to diplomatic pressure.

The United Nations appears blind to the crisis, Prendergast said. Neither the Security Council nor the Human Rights Commission has acted or spoken out against Mugabe's tyranny. When Reeler appealed to the Human Rights Commission for help in 2000, a member noted that more people were killed in Gaza on an average day than in all of Zimbabwe.

The U.S. Government has said the March election was stolen and the result illegitimate, but has taken little concrete action beyond banning Mugabe and his associates from traveling to the United States. Prendergast said, however, there were hopeful signs from the Bush administration, which was "engaged in a serious internal process" that could result in significant pressure being applied against ZANU-PF.

Policies to Address the Crisis

Prendergast said there were three apparent options for trying to affect change in Zimbabwe:

- Constructive engagement to try to nudge Mugabe and ZANU-PF toward democracy.

- An active international effort to get ZANU-PF and MDC together for negotiations.
- Total isolation of Mugabe's government.

The first option, he said, would only reward ZANU-PF for its corruption and brutality to date. The second will work only if South Africa is willing to exert serious pressure against Mugabe, but it has shown no inclination to do so. The third option, an effort by the international community to ostracize the Mugabe government, will require a great deal of political will, but is the preferable course of action, Prendergast said.

The first step in such a response should be a freezing of Mugabe's and ZANU-PF's assets around the world. [A July 1 federal court ruling could lead to an asset freeze in the United States. A federal magistrate in New York recommended a \$73 million civil penalty against ZANU-PF for torturing and murdering political opponents. The case was filed in 2000 by members of MDC, who said ZANU-PF enforcers had tortured them and killed some of their relatives. A U.S. law allows foreign nationals to file international law claims in U.S. courts when conditions prevent them from filing them in their home countries' courts. The U.S. court cannot force ZANU-PF to honor the judgment against it, but the ruling could facilitate the seizure of ZANU-PF assets in the United States.]

Prendergast made several other recommendations, including:

- An aid package to help strengthen alliances among trade unions, civil society, MDC, and other opponents of the Mugabe regime.
- A clear signal from the U.S. government that U.S. support for the New Partnership for African Development (NEPAD) be tied directly to South Africa's willingness to address forcefully the Zimbabwe crisis. NEPAD is a collective agreement by African leaders to eradicate poverty and to set their nations on a path of democracy, sustainable economic growth, and development.
- An international effort to stop ZANU-PF from looting the natural, mineral, and agricultural resources of Congo and using those resources to finance its reign of terror in Zimbabwe.

Conclusions

Any one of the political, humanitarian, and public health situations prevailing in Zimbabwe could fairly be described as a crisis in its own right. The convergence of all of them with the looming threat of mass starvation due to drought and the disruptive effects of farm seizures by the Mugabe government portend a truly catastrophic state of affairs. Mass deaths due to starvation and civil violence, a refugee exodus, increased crime, and economic ruin all appear possible. These looming eventualities threaten greater crises not just for Zimbabwe, but for all of southern Africa.

Yet the international community has not been particularly attentive to Zimbabwe's troubles. Nor has the western media, whose interest seems limited to elections and seizures of white-owned farms.

And Zimbabweans themselves seem inured to the violence that characterizes their political life.

Donor countries and international financial institutions have an opportunity to help relieve the multi-faceted crisis. Options include:

- Tying support for the NEPAD initiative to African governments' willingness to exert pressure on Mugabe and ZANU-PF to stop the torture and political violence against their opponents and to agree to talks with MDC.
- A freezing of Zimbabwean assets held in American, European, and other financial institutions.
- Financial and logistical support for alliance-building among the MDC, trade unions, civil society, and other anti-Mugabe elements in Zimbabwean society.

Zimbabweans themselves seem inured to the violence that characterizes their political life.

***Despite the dire state of affairs
that prevails there, Zimbabwe is
not a lost cause.***

Despite the dire state of affairs that prevails there, Zimbabwe is not a lost cause. A concerted and coordinated effort by developed countries, the United Nations, international financial organizations, and Zimbabwe's neighbors could save the country from the devastation toward which it seems to be hurdling.

Related Resources

- Amnesty International (<http://web.amnesty.org>) on June 26 released "Zimbabwe: The Toll of Impunity."
- Through the auspices of the Lawyers' Committee for Human Rights (<http://www.lchr.org/defender>), a group of Zimbabwean NGOs organized under the name Crisis in Zimbabwe Coalition on June 20 released a report describing the political and economic current state of affairs in that country. This report includes detailed case studies of politically motivated violence and torture from March to May 2002.
- Amani Trust, a Harare-based organization that documents torture and assists its victims (<http://www.oneworld.org/amani>), on June 25 released a compendium of the 180 cases reported so far in 2002.

For more information on this topic, see our web site (www.usip.org), which has an online edition of this report containing links to related web sites, as well as additional information on the subject.



**United States
Institute of Peace**

1200 17th Street NW
Washington, DC 20036