

Living the Life of a Social Movement: Evidence from the National Constitutional Assembly in Zimbabwe

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Abstract

Activism has been most prevalent in Zimbabwe, especially towards 1990s when the country faced democratic decay. This gave rise to an unprecedented emergence of pro-democracy civil society organisations in the country, among such social movements, one of which was the National Constitutional Assembly (NCA) whose major thrust was engagement in the constitutional reform debate. This was on the backdrop of an increasingly despotic state, which sought to water down the efforts of the NCA in campaigning for the writing of a new national constitution for the country. A social movement by definition involves the metamorphosis of a civic group from its formation up to the time when it achieves its objective (s) and either changes course or fizzles out into oblivion. For the NCA, this paper seeks to show the various metamorphic stages up to the time when a new constitution was written and the organisations transformed into a political party.

Keywords: Zimbabwe, Social Movement, Constitution, Democracy, Development

Introduction

The group theory seeks to explain how people with similar interests converge to petition authorities. This gives rise to pressure groups, a term that in this paper is synonymous with social movements. The term "Social Movement" takes dominance in this paper, given that the case study of the NCA exhibits traits of a social movement. The post-colonial period has seen the emergence of a post-independence state often dominated by a centralised ruling party, which views autonomous social movements, previously so important in mobilising anti-colonial discontent, as a threat to or distraction from the central project of national developmentalism, dominated by the post-colonial state. Consequently, the development of local social movements in Zimbabwe came under the scrutiny of the state. This has resulted in friction between social movements and the state in

much of the African continent despite the fact that social movements as components of civil society “...do not seek power to replace the state” (Lamer, 2010) but to represent people in their engagement with the state. This is the situation in which most of the social movements in the postcolonial period found themselves in, as the state became increasingly authoritarian and inaccessible to dissenting voices. The major research question of this paper is: To what extent has the NCA lived the various metamorphic stages of a social movement up to the time when its objective of overseeing the writing of a new constitution was achieved and how it subsequently changed course by transforming into a political party?

The Nexus between Social Movements and Pressure Groups

It has been noted that there is a very thin dividing line between pressure groups (or interest groups) and social movements, hence it is very hard to distinguish one from the other. Basically, a social movement is a loose coalition of groups and organizations with common goals that are oriented toward mass action and popular participation and share the intention of influencing the government. On a similar note, interest groups are formal organizations, while social movements are coalitions of many groups and individuals. Similarly, KesSparhawk (2009) agree that a social movement is a large group of people who seek to produce change in a country/culture/geographical area through varied activism. The change is usually connected to interests with which they define themselves — economic, educational, or religious, among others. On the other hand, KesSparhawk (2009) contends that an interest group is a group of people, whatever size, who share a particular interest. The various authorities concur that people with common interest and goals converge to influence government decision. Hence in this paper, the terms are used interchangeably.

An interest group tends to align towards corporate organization like a political action committee while a Social Movement collects people from non-corporate settings. An interest group is never referred to as “grass-root” while a social movement is almost always referred to as a “grass-root” movement, giving the impression of a more spontaneous development of group identification (Moyo, 2018). Usually an interest group may spawn a social movement. This aligns with the intention of this paper to use the terms ‘social movements’ and ‘interest groups’ interchangeably. The term social movement has taken dominance in this paper given that

they have been and continue to be closely associated with democratic political systems and strive to sustain democratic institutions (Tilly, 2004). It is further argued that in recent years social movements have become part of a popular and global expression of dissent (Tilly, 2004). This is the premise on which the selected civic groups cited for this study have thrived as they sought for the restoration of democracy in Zimbabwe.

Current debates on the deepening and consolidation of democracy have a distinct bias towards the introduction of participatory approaches that enable citizens to take up their citizenship rights (Esau, 2006), which is the thrust of modern social movements. Keane (1998) has noted that many of the debates around civil society's involvement in the democratisation process have depicted the civil society movement as having tremendous implications for shaping and pluralising power relations. Pro-democracy civil society has also been portrayed to broaden the avenues of societal representation of interests and of individual and group influence and participation (Harbeson, 1994), creating a new political culture of citizenship that stresses rights, obligations, protest and contestation (Grindle, 1996) and prompting political liberalisation (Keane, 1998:12). The civil society movement have also been credited with constituting the independent stratum of power that forges collective identities, builds consensus and constructs platforms around moral, social and political values for the purposes of citizen education, sensitisation and mobilisation (Azarya, 1992).

Social movements as a configuration of civil society come as among the most vocal and militant, and usually resort to protest action to attract the attention of the State. Social movement actions within the broader context of civil society has tended to influence and in some cases shaped the type of civil society in a country. Social movements in Africa are bedevilled by a set of tasks and challenges depending on their location on the continent (Moyo, 2018). In Zimbabwe, social movements have been viewed as oppositional and their leaders incarcerated for protesting against authoritarian rule (Kamete, 2009). In much of Central Africa, social movements have been active in socio-political resistance as citizens seek to have a stake in illegal settlement and urban management (Osha, 2010). On the other hand, there are social movements within the African continent that thrive on violence by seeking to attack state organs (Ballard, et al, 2006:14). This is prevalent in parts of Africa such as the Niger Delta in

Nigeria where social movements agitate for resource control and equitable distribution of resources among local communities (Osaghae, 2006).

Social Movements as Invented Political Forum

Discourses of participation have applied spatial metaphors involving '*opening up*' '*widening*' or '*broadening*' opportunities for citizen engagement, with some referring to '*deepening*' democratic practice (Gaventa, 2006:7). Other similar metaphors such as 'arenas' of governance and/or 'political space' have also been used to refer to assumed and/or occupied spaces, which can be *created*, *opened*, *invented* or even *reshaped* (Gaventa, 2006:8). Feminist and alternative development discourses view these *spaces* as an opportunity where oppressed people recognise and begin to manipulate and use their agency; 'creating new spaces, occupying existing spaces, or revalorising negatively labeled spaces' (Price-Chalita, 1994:239).

The basis of social movements according to Kamete (2009:61) is "...invented political forum, a distinctive form of contentious politics that involves the collective making of claims that, if realised, would conflict with someone else's interests', which itself is a result of shared ideas" (McAdam, 1996 in McCarthy and Zald, 2006:19). Collective claim-making develops out of shared meanings and definitions that people bring to a situation they perceive as problematic. On a similar note, Tarrow (1998:198) has noted that "...contentious politics occurs when ordinary people, often in league with more influential citizens, join forces in confrontations with elites, authorities and opponents' to create ...a triad of political opportunities, mobilising structures and framing processes". Kamete (2009) deliberates on the links between social movement organisations, contentious politics and governance, where governance involves relationships between the governors and the governed. In the relational practice that is governance, stakeholders with certain advantages can deploy these to maintain and protect their favoured position and even neutralise threats through stifling the needs and demands of the politically disadvantaged groups. Weak, marginalised and ignored, the politically disadvantaged groups become 'challengers' (McAdam, 2006:3), when they make claims upon institutions of governance (Kamete, 2009:62). They become a social movement if they are able to mount a 'campaign', that is, "a sustained, organised public effort making claims on target authorities" (Tilly, 2003:257). In local terms, Kamete (2009:63) views urban councils as ranking among these

'institutionalised systems of power' whose governance is the subject of contention. All these traits are common characteristics that have been exhibited in the operations of the selected civil society organisations.

In the Zimbabwean context, the development of vibrant social movements has been hindered by "...a combination of obstacles of an authoritarian nationalist state constructed through the legitimacy of the liberation struggle in a rapidly shrinking economy that has comprehensively undermined the structural basis for the reproduction of social forces in the country" [Masunungure (2004) in Raftopolous (2006:7)]. In the late 1990s, "...sections of the civil society community had begun to depart from the strategy of linkages with government and to move into a more confrontational mode in the context of a broader social movement" (Makumbe, 2000:23). This void in social movement activity in the country has necessitated the incorporation of WOZA and CHRA, as well as the NCA to entrench their influence within the Zimbabwean political landscape. These groups have grassroots inclinations and seek to engage in social struggles for the betterment of citizens, thus making them social movements. They belong to social groups which are continuously engaged in "...struggles from below to seek redress of various forms that typically have to do with equal citizenship, equitable power relations, and whose emancipatory and empowering attributes have drawn equity -and justice-seeking groups to them" (Osaghae, 2006:35).

McAdam, et al (1996:19) concur that when dissatisfaction and grievances are combined with optimism and the conviction that joining forces with similarly aggrieved people can remedy the problematic situation, collective action becomes possible. Collective claim-making is a complex process that takes many forms, with the most sensational forms of claim-making by social movements being accomplished through contentious politics (Kamete, 2009). Even with the best organisational resources and the most strongly felt and widely shared grievances, the aggrieved group needs to claim some form of political space to make meaningful and sustained collective action possible (Kamete, 2009).

Social Movements as Agents of Mobilisation

Social movements are a series of contentious performances, displays and campaigns by which ordinary people make collective claims on others (Tilly, 2003:5). For Tilly, social movements are a major vehicle for ordinary

people's participation in public politics (Tilly, 2003:3). Social movement theory seeks to explain why social mobilisation occurs, the forms under which it manifests, as well as potential social, cultural and political consequences. Investigations of social movement commonly build upon several central aspects relevant to the understanding of mobilisation. These are networks, structures and other resources, which civic actors employ to mobilise supporters, and the ways in which movements' participants define or frame their movements (Ballard et al, 2006:82). Social movements focus on social and political change and on framing issues to make them resonate with the public, help to mobilise the necessary structures and resources and seek to open up political structures to accommodate the envisioned changes and generate consensus about social problems and possible solutions (Clark, 2004:942). In this effort, the paper explores the National Constitutional Assembly's mobilisation strategies used to engage with an increasingly despotic state in Zimbabwe, especially from the mid-1990s.

Mobilisation theorists argue that the success of social movements rests mainly on the resources that are available to them, the formation of coalitions with already-existing organizations and securing financial support and on mounting effective and organised campaigns of political pressure (Ake, 1993:24). This brings to the fore the issue of donor funding which forms part of resource mobilisation. Donors have "...taken to the idea that NGOs can also contribute to expanding good governance and democratization" (Dorman, 2004). This puts donors in a position that enables them to participate in the operations of CSOs that they fund. Later, the paper refers to donor funding of CSOs in Zimbabwe and the impact this has on the independence of civic groups.

The paper focuses on the period from 1997 to 2010, a period when it became increasingly evident that "...civil liberties were under threat, signalling the deterioration of democratic space and intensification of the constitutional reform debate in Zimbabwe, and renewed interest civil society in human rights violations and electoral processes" (Sachikonye, 2004:154). This was also the period when it became necessary to resume the constitutional reform debate, which had been raging for over a decade. The changing role of civil society which had initially been confined to supplementing various social and economic activities carried out by the state (Sachikonye and Raftopolous, 2001:15) responded to increasing

dissatisfaction with economic and social hardships of the 1990s' by seeking to confront the state and demand accountability, accountability and responsiveness (Makumbe, 2009:156). Increased evidence of democratic erosion and gross human rights violation against the backdrop of flawed electoral processes all combined to inform and shape the character of state/civil society in Zimbabwe (Makumbe, 2009:158). In response to the increasing prominence of pro-democracy CSOs, the state in Zimbabwe sought to boost its waning support base through militarisation and the politicisation of various public institutions (Sachikonye, 2009:54). These developments presented an opportunity for civil society which displayed "...increased confidence and activism and the growth of new NGOs with a human rights mandate" (Matyszak, 2009:135). Moreover, this paper seeks to contribute to the existing body of knowledge on social movements in citizen mobilisation by examining the extent to which pro-democracy CSOs in Zimbabwe contributed to citizen participation in governance processes from 1997 to 2010. The available body of literature provides a foundation on which this paper is anchored.

Social Movements in Africa

The history of social movements in Africa revolves around popular, bottom-up and grassroots struggles and resistance by groups under oppressive and unjust regimes as they seek redress and more equitable power configurations (Osaghae, 2006:34). Social movements in Africa have been visible both in their fight against colonialism and, in the post-independence era, against deteriorating governance structures of the post-colonial period. Consequently the deteriorating democratic institutions in many African countries have given rise to social movements whose analogy has been "...neither a party nor a union but a political campaign against authoritarian rule" (Tilly, 1985:735-36). In South Africa "...unlike in many societies where the political honeymoon tended to drag on for decades, new social struggles emerged quickly" (Ballard et al. 2006:13) to challenge the political dispensation towards realising their promise of an inclusive participatory form of governance structures.

Social movements in Africa are be-devilled by a set of tasks and challenges depending on their location on the continent. In war-torn countries such as the Democratic Republic of Congo, Rwanda, Burundi, Somalia, Liberia and the Ivory Coast, the politics of reconstruction is what preoccupies the people (Osaghae, 2006:25; Mederias, 2005:52). In North Africa, there is the

problem of Islamic Fundamentalism and the violence it creates (Omari, 2000:3). In South Africa, which has a large number of social movements, as well as in much of Southern Africa, there are social issues such as those associated with HIV/AIDS, poor service delivery with its attendant protests and the quest for co-operative governance (Ballad et al, 2006:14). In Zimbabwe, social movements were viewed as oppositional and their leaders incarcerated for protesting against authoritarian rule (Kamete, 2009:62). In much of Central Africa social movements have been active in socio-political resistance as citizens seek to have a stake in illegal settlement and urban management (Osha, 2010:2). On the other hand, there are social movements within the African continent that thrive on violence by seeking to attack state organs (Ballard, et al, 2006:14). This is prevalent in parts of Africa such as the Niger Delta in Nigeria where social movements agitate for resource control and equitable distribution of resources among local communities (Osaghae, 2006:26).

The initial post-colonial period has seen the emergence of a post-independence state often dominated by a centralised ruling party which views autonomous social movements, previously so important in mobilising anti-colonial discontent, as a threat to or distraction from the central project of national developmentalism, dominated by the post-colonial state. Consequently, the operation and subsequent growth of local social movements was stifled by state control. This has resulted in friction between social movements and the state in much of the African continent despite the fact that social movements as components of civil society do not seek power to replace the state (Lamer, 2010) but to represent people in their engagement with the state. This is the situation in which most social movements in the postcolonial period faced as the state becomes increasingly authoritarian and inaccessible to dissenting voices.

On the influence of social movements (SMs) Lamer (2010) has noted that in modern society "...non-governmental organisations, civil society organisations, campaigns, strikes and riots, the mob and the crowd - all have elements of social movement praxis and all [should] be considered as relevant in critical analyses of the role of popular social forces". While the researcher is cognisant of the different characteristics of NGOs, CBOs, CSOs and SMs, all have presented themselves as holding the propensity to influence citizen participation through mobilisation and seeking to strengthen democracy. Social movements have been noted to campaign for

the “...essence of democratic legitimacy by mobilising individuals who are subject to a collective decision to engage in authentic deliberation” (Medearis, 2004:54). This puts social movements on a platform where they seek to mobilise citizens for collective action aimed at social change.

The Emergence of Social Movements in Zimbabwe

Afrocentric scholars have attributed the emergence of a strong civil society movement in Africa to the fight against colonialism. Makumbe (1995:11) maintains that in Africa, civil society has long been associated with decolonisation and the subsequent transformation from colonial rule to independence. On a similar note “...the post-war period was characterised by the development of powerful popular movements in most African colonies when large numbers of workers entered the arena of organised political activity” (Mamdani, 1990:48). Prevailing political, economic and social conditions on the African continent have provided fertile ground and a conducive environment for the rise of civic groups on the continent. The economic and political crises of the 1980s and 1990s in Africa and Latin America gave rise to social movements based on common interests and identities and ‘local community and non-governmental organisations that sought greater autonomy’ to find ‘grassroots solutions to economic and social problems and make collective demands on government’ (Fox and Hernandez, 2018). The emergent civil society groups were engaged in struggles against despotic rulers, repressive regimes and state violations of individual and collective rights (Makumbe,1998:305), and their struggle was in pursuit of the democratisation project (Krinsky and Crossley, 2017). CSOs, CBOs, and NGOs, as well as social movements have come up seeking to confront political authorities towards creating democratic institutions. In Zimbabwe, with the advent of greater industrialisation and urbanisation, township residents’ associations emerged with the aim of challenging the white economic and political order (Moyo, Makumbe and Raftopolous, 2000: 24). Disgruntlement with labour issues by an increasing urban population during and immediately after the Second World War, coupled with the growing crisis of labour production in urban and rural areas, led to the growth of trade unions whose organisational strength was unprecedented (Moyo, Makumbe and Raftopolous, 2000: 25). In this case, the research does not seek to engage with the labour movement as part of civil society, but instead incorporates governance and human rights NGOs as well as residents’ associations as an integral part of this dissertation in

attempting to establish the extent to which these have mobilised around good (local and national) governance and enhanced citizen participation.

The 1990s were the most outstanding years when civil society organisations in Zimbabwe enjoyed a cordial relationship with the State. It was a time when the State, fresh from the turmoil of the civil unrest in Matabeleland and parts of the Midlands, portrayed a tolerant face towards non-state actors. The civil society organisations and community-based organisations, cognisant of the dire consequences of opposing the ruling party ZANU PF treaded with caution on any contentious issue in which the State was the perpetrator. The publication of the atrocities during the Matabeleland civil unrest by the CCJP was the only incident that civil society had dared expose the State without dire consequences. However, the continued brazen violation of human rights and failure by the State to acknowledge the gross human rights violations in Matabeleland and parts of the Midlands failed to suppress dissenting voices from within the civil society movement. This failure by the State to acknowledge human right violations forced CSOs to put their focus on human rights as an issue that required urgent redress. This culminated in the formation of human rights organisations. This also exposed the defective nature of the Lancaster House Constitution, bringing to the fore the need for a constitutional reform process, which gave rise to the formation of the National Constitutional Assembly (NCA). This paper seeks to present the NCA as a success story of a social movement that has gone full circle of the dictates of social movements.

Major Social Movements and Pressure Groups in Zimbabwe

Characteristic of both social movements and pressure groups is that they do not seek power through the ballot box or contest in an election, but are a constellation of like-minded people who seek to influence or pile pressure or influence public policy in the interest of a particular cause. These can come in a variety of forms ranging from environmental, political, feminist, constitutional, labour issues, legal aspects, and human rights, among others. Political pressure groups include “a country's political, social, labour, or religious organizations that are involved in politics, or that exert political pressure, but whose leaders do not stand for legislative election” (Scalmer, 2009).

It is symptomatic of social movements and pressure groups to ratchet pressure on authorities for the realisation of their demands. These two configurations usually emerge when there is a crisis, especially on good governance and failure to meet socio-economic needs of citizens or a designated group of people. Elsewhere in Africa, notably in Nigeria, prominent social movements and pressure groups have sprung up at a time when increased demand for transparency in different facets of democratic governance was in demand. For example, the Civil Society Organisations had always been at the forefront when it comes to matters affecting Nigerians, including the Oodua People's Congress, Arewa People's Congress, Ohaneze Ndigbo, PANDEF – Pan Niger Delta Forum, Movement for the Emancipation of the Niger Delta (MEND), Nigeria Labour Congress (NLC).¹ These social movements and pressure groups have been prominent in their demand for good governance. In Zimbabwe, the 1990s saw the disintegration of democratic institutions, which called for the emergence of a strong pro-democracy civil society movement, with social movements such as the NCA encapsulated within this pro-democracy movement.

These do not usually include international movements or organizations. The major social movements and political pressure groups in Zimbabwe include Crisis in Zimbabwe Coalition; the National Constitutional Assembly or NCA (Lovemore Madhuku); Women of Zimbabwe Arise or WOZA (Jenni Williams); Zimbabwe Congress of Trade Unions or ZCTU (Peter Mutasa); Zimbabwe Human Rights Association or ZimRights (Okay Machisa); Zimbabwe Human Rights NGO Forum (Jestina Mukoko) and Zimbabwe Lawyers for Human Rights or ZLHR (Roselyn Hanzi). This paper deliberates on the place of the NCA within the social movement discourse and its eventual transformation into a political party in 2013 when a new constitution of Zimbabwe was promulgated. The common trait of these groups is their leadership which have been in place for a long time, with little or no change of leadership. The case of Professor Lovemore Madhuku of the NCA deserves special mention, given that this founding father of the NCA has been the leader since 1997 at the inception of the NCA.

Formation of the NCA

The NCA came on the backdrop of a constitutional crisis in the mid-1990s when most challenges bedevilling the country ranging from the unparalleled executive powers of the State President to unprecedented corruption levels in high circles. Closer scrutiny of most of the challenges

that the country faced were associated with the unrestrained abuse of power, especially by high public officials. Added to this mis-demeanor was the tenure of senior political leaders whose stay in power had expired, with no end in sight. As though that was not enough, partisan constitutional amendment were meant to benefit the few political elites, disadvantaging the general citizenry. The shrinking public participatory space for the citizens fuelled more anger among the general populace. Formed in 1997 as a voluntary association of civil society organisations and individual civic groups, its main objectives included the promotion of awareness, critical debate and participation in the making of Zimbabwe's constitution through an open, transparent and accountable and people driven process (Norad, 2015).

Operations of the National Constitutional Assembly (NCA)

According to Raftopoulos and Savage (2004:251), the constitution reform process initiated by the NCA demonstrates the possibility of appropriating the language of law and rights to effect social change. The language of law and rights allows relations and their attendant systems of domination to be more easily understood and challenged by disenfranchised communities and at the same time allows citizens to appreciate how power works through the institutions and rules which regulate their daily lives (Raftopoulos and Savage, 2004:252).

The constitutional reform debate in Zimbabwe is the brainchild of the NCA and one cannot talk about the genesis of constitutionalism in Zimbabwe from the 1990s without talking about the NCA. With the formation of the NCA it was evident that civil society had realised the importance of a united voice against an increasingly despotic state. Formed out of many CSOs, individuals and unions, the NCA sought to "agitate for constitutional change through advocacy and other peaceful means" (Win, 2007:23). Formed in 1997, the NCA was a result of citizens' questions about the deficiencies of the country's democratic institutions, with professionals and individuals congregating in support of the constitutional reform process and putting it on the national agenda (Dorman, 2001:207). However on the contrary, the state showed "...no measured and serious effort at constitutional reform as it continued to introduce constitutional amendments mainly to centralise and consolidate its power and authority" (Sachikonye, 2011:4).

Consequently the NCA has represented a unique experience and experiment in many ways as it provides the most opportune moment for citizens to play a role in the constitution-making process, the first ever in the history of the country (Raftopoulos, 2004:114). The NCA presented a new and unique experience for the NGO community in Zimbabweans, mobilising around common issues of constitutional, political and social rights and justice (Makanje, et al, 2004:34); by providing a platform for a network of voices of dissent deliberating on constitutional reforms (Raftopoulos, 2004:114) and keeping democratisation as a priority issue on the national agenda and as an advocate for good governance (Sithole, 2001:160). In such a collective effort, citizens play a '...pivotal role in the drive to democratise the process of constitution-making through active participation' (Ihonvbere, 2000:2), in a country characterised by single-party hegemony (Ncube, 2010:45) and controlled by a narrow group of ZANU-PF and military officials who have used national resources and public institutions for personal enrichment (ICG Africa Report, 2004:ii). This has tended to compromise not only human rights, but also constitutional provisions that espouse these rights, resulting in the intensification of the constitutional reform debate in the country (ICG Africa Report, 2004:iii). The establishment of the NCA was a response to the need for constitutional reform. It had become increasingly evident that democracy was under threat from ruling elites who sought to cling to power even by unconstitutional means (Moyo, Makumbe and Raftopoulos, 2000; NCA Report, 1999), leading to the formation of the first coalition of pro-democracy civic groups to initiate the constitutional reform debate in the post-colonial period (Dorman, 2001:205).

According to Raftopoulos and Savage (2004:251), the constitution reform process initiated by the NCA demonstrates the possibility of appropriating the language of law and rights to effect social change. The language of law and rights allows relations and their attendant systems of domination to be more easily understood and challenged by disenfranchised communities and at the same time allows citizens to appreciate how power works through the institutions and rules that regulate their daily lives (Raftopoulos and Savage, 2004:252). These initiatives have been made possible by the existence of structures within the organisation which facilitate the flow of information to its members across the country. The NCA's day-to-day activities are run by a fulltime secretariat in Harare, which also supervises similar regional offices. In addition, the NCA has various

task-oriented committees such as the Advocacy Committee, the Legal Committee, the Gender Committee, the Media Committee and the Disciplinary Committee, all of which meet on a regular basis (Dorman, 2001:206).

The NCA engaged citizens through public meetings which seek “...to inject the discourse of constitutionalism into as many areas of discussion as possible” (Moyo, Makumbe and Raftopoulos, 2000:37). The information dissemination and educational strategies of the NCA have extended to newspapers, television and radio advertisements, with a heavy bias towards rural folk, who have been marginalised by much of the civil society movement in regard to the political developments in the country for a long time (NCA Report: 1999; Raftopoulos, 2000).

Traits of a Social Movement within the NCA

It was noted that although social movements around the world differ from each other in many ways, they all generally go through a life cycle marked by the progressive stages of emergence, coalescence, bureaucratization, and decline (Houghton, 2016). In this paper, the author traces the operations of the NCA through the various stages up to the decline where the organization will have achieved its goal and can either fizzle out or transform to change its focus. In the case of the NCA, once the country achieved a new constitution in 2013, the organization’s mandate and membership declined. In order to remain relevant to the new post-constitution dispensation, the NCA transformed into a new political party, this time around, shifting its focus of provide checks and balances on state activities.

One of the most conspicuous trait of a pressure group (herein social movement) is that there is no formal election of its leadership. The leadership (or leader) is usually the founding member and does not have a timeframe to relinquish the leadership position. In the case of the NCA, this explains why the leader and founder of the organization, Professor Lovemore Madhuku has been the only leader the organization has known since its inception in 1997. This is symptomatic of pressure groups/social movements. It can therefore be argued that the paradox and contradictory nature of social movements is that while they seek to campaign for democracy, they do not walk the talk. There is no democratic practice in their operations.

The NCA was formed on the premise of seeking to lead the constitutional reform debate, which had been overdue. Years of tussling with an intransigent State saw the latter seeing sense in the need for constitutional reform process. Years of deliberations saw the involvement of the setting up of a Parliamentary Select Committee which gathered public views, resulting in the promulgation of the new Zimbabwe Constitution in 2013, which had been the objective of the NCA since its inception in 1997. It is characteristic of social movements that once they achieve their mandate, they fizzle out. Similarly, the adoption of a new Constitution in 2013 heralded the need of the lifespan of the NCA. However, it is commonplace that, once such a stage in the life of a social movement is reached, the group may choose to completely fizzle out or transform its mandate so as to remain relevant. The NCA has attempted to remain relevant by transforming into a political party, a move which has waded it into the murky political waters of Zimbabwe.

Bringing the constitutional reform debate to the people

A constitution and the legal order may lose legitimacy, when the constitution drafting process has not encouraged civic education, political participation, civic activism and respect for civil and human rights (Benomar, 2003:11). On a similar note, the NCA noted that ignorance was one of the factors that retarded the constitutional reform debate in the country (NCA, 1999). As a result, the NCA undertook a number of initiatives to enable citizens to understand the contents of the constitution (NCA, 1999), laying a strong foundation on the basis of which the constitutional reform process would be built and ensuring that citizens understood the constitutional contents (Dorman, 2001:208). Additionally, the NCA augmented its efforts of making the constitutional document understandable to the grassroots people by producing a summarised and simplified version and distributing this free of charge to people all over the country, in libraries and other public places where people could easily access the documents (Ncube, 1999:2). The NCA shaped the perceptions, form and character which the cumulative NCA found itself in and positioned the NCA not only as a focal point in articulating a civil society perspective on constitutional reform in the country. This has enabled the NCA to act as the glue that helped to keep various civic groups focused on a specific objective, in this context the constitution reform process (Makumbe, 2010).

Through donor funding, the NCA embarked on constitutional awareness programmes giving the people the urge to participate in drafting a new constitution for the country (Makumbe, 2009:12). By so doing, the NCA has facilitated interaction and debate among citizens within their localities. Once people could read the constitutional document in their local languages they would be likely to embark on discussions on the contents of the constitution among themselves, thereby initiating debate at local levels (Ncube, 1999:3). The NCA successfully mobilised citizens to reject the ZANU PF government-sponsored constitutional draft compiled by the Constitutional Commission which was "...dominated by ZANU PF elements who drew up a shoddy draft constitution that amounted to a travesty of justice and an insult to the intelligence of the people of Zimbabwe" (Makumbe, 2009:11). This successful rejection of the constitutional draft "...left the NCA as the main challenge to the constitutional reform process" (Sachikonye, 2011:10). Years of tussling with an intransigent State saw the latter seeing sense in the need for constitutional reform process. Years of deliberations saw the setting up of a Parliamentary Select Committee which gathered public views, resulting in the promulgation of the new Zimbabwe Constitution in 2013, which had been the objective of the NCA since its inception in 1997.

Transforming from a Social Movement to a Political Party

The major *raison de trait* for the transformation of the NCA from a social movement to a political party was the realisation that the major opposition political party to have graced the political landscape in the 21st century, the MDC, had failed to "bring democratic change to Zimbabwe. There was therefore need for the NCA to take over and deliver according to the expectations of ordinary Zimbabweans."² Pundits of Social Movement Theory and Social Movements *per se* could have predicted that the final chapter in the existence of the NCA as a social movement would come when it transforms into a political party. It was been noted that although social movements around the world differ from each other in many ways, they all generally go through a life cycle marked by the progressive stages of emergence, coalescence, bureaucratization, and decline (Houghton, 2016). One of the most conspicuous trait of a social movement is that there is no formal election of its leadership. The leader is usually the founding member and does not have a timeframe to relinquish the leadership position. There is no democratic practice in their operations. For example, while the NCA was formed on the premise of constitutional reform,

incorporating leadership renewal in the constitution, it failed to do the same. In the case of the NCA, this explains why the leader and founder of the organization, Professor Lovemore Madhuku has been at the helm of the organization since its inception in 1997. This failure to implement leadership renewal by the NCA presents a paradox for social movements because while they seek to campaign for democracy, they do not walk the talk of leadership renewal. It also became clear that the coming to fruition of the NCA-initiated constitutional reform debate in 2013 with the promulgation of the new people-driven national constitution meant that the road for the activist-oriented NCA had ended. It is characteristic of social movements that once they achieve their mandate, they fizzle out. The 2013 elections were the first to be held under a new constitution and the NCA as a political outfit fielded candidates for the local government, legislative, senatorial and Presidential portfolios across the country. Below is a political campaign poster for the NCA which reflects the picture of the longtime President of the NCA, Professor Lovemore Madhuku. In this poster, Professor Madhuku was contesting for the President of Zimbabwe in the 2018 electoral contestation. Similarly, the adoption of a new Constitution in 2013 heralded the need for a review of the future of the NCA. It is commonplace that, once such a stage in the lifespan of a social movement is reached, the group may choose to completely fizzle out or transform its mandate to remain relevant.



Source: Extracted from a 2018 National election poster for the NCA

The NCA attempted to remain relevant by transforming into a political party, a move that has waded it into the murky political waters of Zimbabwe. The NCA fielded candidates in all local, provincial and national elections with confidence. After the much-hyped 2018 Harmonised Elections, the NCA conceded defeat. Its sole leader has taken time to concentrate on his academic profession at the Vice Chancellor of the University of Zimbabwe, while on the side-lines, is continuing with his legal practice. This seems to have thrown the future of the party into hysteria with no tangible prospects of ever reviving again. This may have sealed the fate of the NCA, a civic group that started on the constitutional debate platform, transforming into a political party and now its future is in limbo.

Critique of the NCA

The NCA has had a tumultuous and metamorphic tenure within the public political landscape experience, with Norway, Sweden and Canada having been NCA's main donors. An evaluative report by the donors stipulates the main findings of the NCA of Zimbabwe from the years 2003-2007. Numerous findings from an evaluative report by Lumina (2009) under the auspices of NORAD made interesting revelations about the tenure of the NCA. It was noted that there had been a widely held perception, and rightly so, that the NCA contributed immensely to the constitutional reform debate by raising of public awareness of constitutional and human rights issues in Zimbabwe. As a result, the NCA can be considered as one of the most conspicuous and relevant partners in the constitutional reform process, the first of its kind in the history of the country.

Stakeholders across the political divide in Zimbabwe and beyond concur that the NCA is still a relevant player even in the post-constitution era, especially as it would become handy in times of constitutional review and amendment. Additionally, the NCA has been in the forefront of keeping the electoral authorities in check as evidenced by their court challenge to avail the voters' roll.³ One of the difficulties encountered by the evaluation process pertained to the extent to which the donor funding 'has yielded sustainable results that benefit the poor'. This is in line with the dictates of the participatory and sustainable approach which provides that whatever funding is made available, should be sustainable and beneficial to the local communities. In the case of the NCA, this has been difficult to ascertain. However it remains a fact that the NCA has managed "...to keep the constitutional issue on the national agenda despite operating in a difficult

political, social and economic environment over the years, is in and by itself a remarkable achievement” (Lumina, 2009). Consequently, it can be argued that the NCA’s sustained push for constitutional reform has contributed to an enhanced political commitment to constitutional reform as reflected in article 6 of the Global Political Agreement (GPA) and the inclusive government’s adoption of a timetable for constitutional reform (Ibid). Therefore, the NCA has presented itself as an enduring civic group whose existence within the constitutional paradigm in Zimbabwe will remain alive. Despite criticisms about failure to change its leadership, cognisance should be taken that such is the character of social movement. Failure to recognise such a characteristic would render the civic group in the eyes of the public as “a personal project of its leader thereby undermining or threatening to undermine its credibility (Ibid).

Conclusion

The paper sought to trace the inception, development and subsequent demise of the NCA as it exhibited traits of a social movement and a voice of dissent. The paper further noted that the final demise of social movements is transformation into political parties. The NCA has been presented as a case study with an assumption that the events and developments experienced in the existence of the activist-oriented NCA would be replicated in other social movements across the globe.

Notes

1. See <https://www.blueprint.ng/killings-csos-pressure-groups/>.
2. NCA transforms into a political party” *The Zimbabwean*, 28 September 2013.
3. Electoral court hears NCA request for voters’ roll” *The Zimbabwean*, 17 June 2018.

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