

Review

Zimbabwe sanctions: An analysis of the “Lingo” guiding the perceptions of the sanctioners and the sanctionees

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This paper analyzes how the values premised in Zimbabwe’s colonial history and liberation struggle, ideological differences and partocracy have influenced the perspectives of the Zimbabwe and the Western governments respectively in understanding the causes that led to the imposition of sanctions on Zimbabwe. Furthermore, this article explores the nature of Zimbabwe sanctions by making comparative analysis of the perceptions of both the sanctioners and the sanctionees. Fundamental to this analysis is the diversity in jargon used in addressing the nature of sanctions. This paper concludes by proffering recommendations on how the parties involved can resolve this “war on lingo” to resolve Zimbabwe’s catastrophe.

Key words: Comprehensive sanctions, targeted/smart sanctions, economic sanctions, restrictive measures, Zimbabwe, EU, US.

INTRODUCTION

Following condemnation and thorough denigration on a number of strategic issues, Zimbabwe has been under sanctions for close to a decade now. Between 2000 and 2003, Zimbabwe received a set of sanctions mainly from the United States of America, United Kingdom, Australia, Canada and the European Union¹. These issues include widespread reports of political and election violence, alleged human rights abuses, violation of property owner-

ship rights and disrespect for rule of law². Regarding the Zimbabwean situation, consensus prevails among the Western states that the fundamental objective of the Zimbabwe sanctions is to restore democracy and normalcy as according to the Western modern standards of democracy. On the contrary, the Zimbabwean government perceives the use of economic sanctions as an illegal tool meant to destabilize the internal political affairs of the country (particularly the land reform exercise) and a serious contravention of the principle of non-interference in political internal matters as they have caused a challenge on the Zimbabwe’s sovereignty³. The differences in interpretation of the causal factors have prompted inherent questions regarding the exact nature of these sanctions. Largely, these views have been shaped by the values premised in Zimbabwe’s colonial history and liberation struggle, ideological differences and

¹ See Zimbabwe, Political Sanctions Timeline 21st Century. In December 2001 the US passed the Zimbabwe Democracy and Recovery Act opposing extensions of loans or any debt cancellations from the Multilateral Organizations. The United Kingdom and United States joined forces in 2002 to call for its allies to impose sanctions on Zimbabwe. On 18 February 2002, following the expulsion of the EU head of election monitoring mission the Swedish diplomat Pierre Schori accused of interfering with the elections, EU introduced restrictive sanctions on Mugabe and some senior government officials from traveling in and around Europe and freezing of personal assets and bank accounts. In September 2002, the Howard government in Australia imposed targeted sanctions on members of the Zimbabwe government in protests against deteriorating political situation in Zimbabwe. These included travel restrictions, arms embargo and targeted financial sanctions. What is unique about the Australian sanctions is that the government went on to remove children of some notable senior government officials who were studying in Australia

² These allegations are a summary of the majority of sanctioners’ sentiments against Zimbabwe. In short their major objective was to ensure that Zimbabwe that the government upholds democratic norms. However, what is important to note here is that all these democratic tenets are according to the western modern standards of democracy.

³ Mugabe speaks on the Internet in Geneva: Association of Zimbabwe Journalists : 9 October 2009

partocracy. These 3 factors have also played a decisive role in shaping the steps taken by these two parties in resolving and interpreting the conflict. It is important to critically analyze this diversity in perceptions as it has a bearing on how to resolve the predicament.

Simultaneously, the controversy on the causal factors has resultantly escalated disagreement on the exact nature and most significantly the lingo used in reference to the Zimbabwean sanctions. According to a majority of Western policy documents on Zimbabwe sanctions, the embargo imposed on Zimbabwe are either “targeted”, “smart” or “restrictive”⁴ in nature, destined to directly oppose ZANU PF⁵ rule whilst the Zimbabwean government argues they are “economic”⁶ in nature since the impact of these sanctions has stretched to infinite hurting an unintended audience. In short, there has been an on-going battle concerning the terminology used in addressing Zimbabwe sanctions. It is important to analyze this jargon as it facilitates an understanding of the actual nature of the sanctions, their effectiveness and helps in proffering recommendations. Furthermore, these dissimilar views in expressions have further exacerbated the rift between these two parties rendering the prospects for a quick resolution murky. In the final analysis, this article concludes by proffering recommendations on how best the parties can compromise their understanding of the exact nature and causes of the sanctions.

WHY IMPOSE SANCTIONS ON ZIMBABWE?

Undoubtedly, the reasons why Zimbabwe is under the bond of sanctions have been marred with controversy from both the perspective of the sanctioners and the sanctionees. Reasons range from the need to democratize and political emancipation of the people (Western view), to a renewed form of colonialism (as leveled by ZANU PF), escalating the conflict to even greatness

⁴ The concept of “smart sanctions” or “targeted sanctions” emerged as a way to improve the traditional comprehensive sanctions and their devastating catastrophes following the Iraq sanctions. EU in particular refers to the Zimbabwean sanctions as restrictive measures rather than economic sanctions <http://www.legaltext.ee/text/en/PH2641.htm>. For purposes of this article the words “smart”/ “targeted” and “restrictive” are sometimes interchangeably used although some scholars suggested there are differences. However, the former term is mainly used by the US and the UK to denote the specific targeting of individuals and firms orchestrating objectionable policies.

⁵ Zimbabwe National Unity Patriotic Front is the dominant party in Zimbabwe that led the country into independence in 1980. Sanctions imposed on Zimbabwe are meant to oppose this party’s rule by targeting its members directly.

⁶ Economic sanctions result in a disruption in the whole economy pausing unintended suffering to innocent civilians. Withdrawal of aid, grants, loans or any economic means has a negative impact on the performance of the economy hence higher levels of suffering, death and hardship. Basing on ZIDERA and other forms of economic restrictions that have directly impacted on ordinary people’s lives, the Zimbabwean government is arguing that these sanctions are not political or targeted but economic in nature.

heights. Despite identifying an array of these factors to answer this question, the fundamental question is what underlying factors have shaped the two parties’ understanding of these causes. Exploring these underlying factors not only helps us to understand the nature of Zimbabwe sanctions from the involved parties point of outlook but acts as a key driver to the understanding of the prospects for conflict resolution and most importantly prospects for re-engagement.

Accordingly, the major event marking the genesis of sanctions was the pronouncement by the Zimbabwean government to legalize the allotment of the land through a constitutional amendment. After the efforts of 1998 Donors Conference⁷ of Land proved futile the local citizens took it upon themselves to forcibly remove the white minority who were living on the farms. In April, 2000, the parliament passed a constitutional amendment to section 16 of the constitution legalizing the acquisition of land by black people⁸. To the Zimbabwean government, the long overdue land expropriation exercise was an effort to more equitably distribute land between the historically disenfranchised blacks and the white minority who ruled Zimbabwe from 1890 - 1979⁹ hence according to Mugabe’s party manifesto “the land is the economy and the economy is the land”¹⁰. It is at this point, that, the Zimbabwean government fell out of favor of Western support on the pretext that they had allowed a perpetration of human rights abuses and disrespect for property ownership rights. The West went on to accuse the Zimbabwean government of being undemocratic and not upholding the proper principles of good governance. There was fatal politicization and tragic internationalization of the land issue¹¹.

The targeted individuals within the Zimbabwean government declare unwavering allegiance to the country’s history of colonialism and the liberation struggle. In fact, there has been an organic link between the method of independence, that is, the armed struggle (the Second Chimurenga) for independence, and its values

⁷ This was a conference organized by the Zimbabwe government on the Land Reform and Resettlement Programme Phase II which envisaged the compulsory purchase over 5 years of 50 000 sq km from the 112 000 sq km owned by commercial farmers(both black and white) and other organizations. It received the endorsement of the donor community, other states and international organizations, who agreed that the program would alleviate poverty, ensure political stability and economic development.

⁸ Krieger Norman (2007): Liberation from Constitutional Constraints: Land Reform in Zimbabwe: Volume 27 Number 2 Summer- Fall: The John Hopkins University Press

⁹ Lebert Tom (2003) :An Introduction To Land Reform and Agrarian Reform In Zimbabwe 2003-
<http://www.foodfirst.org/files/bookstore/pdf/promisedland/2.pdf>

¹⁰ Moore David (2001): Is land the Economy and economy the land? Primitive Accumulation in Zimbabwe : Journal of Contemporary African studies 19 (2): 253-266

¹¹ Chigora Percyslage and Didymus Dewa (2009): Surviving in a Hostile Environment: An Analysis of Zimbabwe’s foreign relations in 21st Century international relations: African Journal of Political Science and International Relations: 3(3): 92-98

and beliefs, and Zimbabwe's foreign and domestic policies¹². This link is quite robust since the chief makers and articulators of the Zimbabwean policies and the other policy makers were leaders in the armed struggle (including the President of Zimbabwe). Additionally it is self-evident to the targeted individuals that at the epicenter of this conflict, is a war between Zimbabwe and Britain, triggered by the land expropriation exercise, with its associated issue of race, both issues being historically intertwined in Zimbabwe since colonial occupation in 1890. This gives an impression that a host of all the other countries bandwagoned in imposing sanctions on Zimbabwe, most probably on the basis that, as fellow democratic states, their ways of conflict resolution may almost be similar.

However, it is significant to note that whatever form of government states act in their national interest and differences only emanates on how the national interests is defined. Consequently, both the Western and Zimbabwean governments are deeply devoted to pursue their own principles. ZANU-PF views itself as a revolutionary vanguard maker and continuing guardian of an "earlier" history (of the armed struggle for independence) which is also "current history" whereas New Labor in Britain saw itself as making "new history". Basically, the clash of histories, principles and personalities of these two parties has largely shaped Zimbabwe's fate. To the Zimbabwean government, nothing surpasses the history of the liberation struggle in importance and there is need to guard it jealously yet the rest of Zimbabwe opponents view the land distribution as a scapegoat and political gimmick for ZANU PF to consolidate its autocratic rule. The understanding was that the Zimbabwean government showed disrespect for property ownership rights. Whilst the war liberators engaged in farm invasions on the pretext that they were claiming back people's land from the white settler¹³ and dubbed this quest to recover stolen¹⁴ ancestral land a third *Chimurenga* (revolution), the Western governments viewed these as acts of barbarism and human rights violations because a significant number of white people were displaced from their homes.

Closely linked to the above is the idea of partocratic government. Partocracy springs from the notion in a ruling party that it knows best the people's needs and only itself, as the liberator, can build providence¹⁵. It implies government by political parties or factions with the word "*parto*" depicting party. To further substantiate, par-

tocracy is defined as a situation depicting the will of one or more political parties in power dominating political life and not the will of individual politicians¹⁶. It also implies parties that control completely the legislative, executive and judicial branches without regard for the opinion of the majority. Relying on the above definitions there are some aspects of partocracy and tyranny that overlap and in some instances there exists a thin line between partocratic and autocratic rule. The major one being the way most leadership ignores the masses contributions. Even if the individual party members may not be keen to pursue that certain policy they still bandwagon as they pay allegiance to party principle more than their personal opinions.

ZANU PF is a typical representation of a party whose characteristics and policies are overly shaped by partocracy since it is the same party that led the Zimbabwean masses into independence after the liberation struggle. As a result ZANU PF has drawn an image of an omnipresent and all-embracing party in power without contesters or watchdogs both on the international and domestic level¹⁷. As such, their perception is, exclusively best decisions are made by this party and it knows the needs of the people, when and how. Having such a mindset, the party views the strategy of the Western government to effect regime change as targeted on "defenders" or "saviors" of Zimbabwean people. It is fair to say that emphasis has shifted from principles of good governance for the people, to fighting any external forces that threaten the superiority of an omni-present party. ZANU PF party and its leaders present themselves as liberty combatants and liberators, making decisions on the basis of party ideology and beliefs. This has overshadowed proper procedures for good governance because the view is that sanctions are targeted on a group of people whose motive is to prevent a re-colonization of Zimbabwe as reflected by the frequently chanted rhetoric "Zimbabwe shall never be a colony again"¹⁸. However to the Western government this partocratic mentality has resulted in the suffering of the masses, bad policies and most importantly disrespect for democratic attributes.

Partocracy emerges from the dominion and supremacy shown by ZANU PF values, ideologies and their historical background. The idea of partocracy has been mainly used in reference to other Western government ruling parties and has not been extrapolated in African literature. However, it is important to note that its importance has become widespread with some African states harboring partocratic governments. ZANU PFs' ideology, personality and characteristics influenced the land redistribution

¹² Patel Hasu and Stephen Chan (2006): Zimbabwe's Foreign Policy: A Conversation; The Round Table(Volume 95 Number 384, 175-190 April

¹³ Chitando E (2002): Down with the Devil, forward with Christ: A study of the interface between religious and political discourses in Zimbabwe. African sociological Review 6(1)

¹⁴ Mlambo A (2005). "Land Grab" or "Taking back Stolen Land": The Fast Track Land Reform Programme in Zimbabwe in Historical Perspective: Blackwell Publishing Limited; 3 (1)

¹⁵ Chukwuma Charles Soludo, Michael Osita Ogbu and Ha-joon Chang (2004): The politics of trade and industrial policy in Africa: forced Consensus? IDRC

¹⁶ <http://en.wikipedia.org/wiki/Partocracy>

¹⁷ Chukwuma Charles Soludo, Michael Osita Ogbu and Ha-joon Chang (2004): The politics of trade and industrial policy in Africa: forced Consensus? IDRC pg 237

¹⁸ Zimbabwe's Mugabe says Unity Government to bring stability: 14 March 2009 Reuters <http://www.reuters.com/article/idUSLE570911>

exercise owing to their fighting the liberation struggle. So to them, sanctions are imposed in order to weaken a party representing and emancipating the people. As a result, the party professes to never give up the fight because it is meant to destabilize the country through its key and reliable driver (ZANU PF) yet to western governments (governance in Zimbabwe minus ZANU PF equals good and proper governance). Policy making in Zimbabwe is suffering from policies of a partocratic government of monopoly and centralization that has no respect for human rights hence imposition of sanctions is meant to redress these imbalances. The removal of ZANU PF from power is essential for the enhancement of the ordinary citizens' political freedoms and civil liberties and this is achievable through economic coercion.

On the other hand, can we not view the behavior of western governments as partocratic? With a perception that they are the richest countries in the world with the highest GDPs, there is tendency among them to behave like an overseer and playing the role of an emancipator on the international arena. Parties within these countries feel they have a moral obligation to punish states they deem rogue and undemocratic by imposing sanctions. This characteristic was exhibited during the colonial times till today where a majority of Western states act like administrators to the affairs of the world. It is a reality that they control the most influential multilateral organizations, banks, regimes and inter-governmental organizations which house so many states in the world. Even as the world looks like it is moving away from unipolarity to-wards multipolarity, the current situation reflects a number of western governments acting partocratically towards small and vulnerable states. With a view that the global proliferation of democracy is a panacea for the much anti-cipated peaceful co-existence, the Western governments have shown that they are willing to go an extra mile to build democracies. As a result there is tension between these two forms of government, since the developing and once colonized states fear imperialism.

The Western states that imposed sanctions on Zimbabwe have their diverse ideological perspectives and principles guiding this outcome. However their area of commonality is marked by their unswerving and robust values and beliefs inclined in the modern concept of democracy. It is not coincidental that Zimbabwe received sanctions from democratic states as a whole. It is the fundamental morals and ethical considerations shared by the Western states that prompted and increased the sanctioners base (the number of states that sanctioned Zimbabwe) . Britain transformed an otherwise bilateral issue to a multilateral one ¹⁹ . A comprehensive study carried out by (Hufbauer, Schott, Elliot and Oegg 1997) shows that in 49% of the cases in which democratic regimes used economic sanctions, they cited democra-

tization or human rights as the goal or partial goal ²⁰ . Scholarship on democratic peace theory has demonstrated that institutional constraints, shared values and quick resolutions often found between two democracies reduce the prospects of democracies sanctioning each other, but on the contrary increase the prospects of democracies sanctioning non-democracies ²¹ . On that basis, the Western sanctions imposed sanctions on Zimbabwe to enhance the transition of democracy as shaped by the intrinsic values embedded in the concept of democracy itself. This democracy gospel has been sung to sanctions bestowed on Iraq, North Korea, Burma and many other states outside the African realm.

Fundamentally, to the United States for instance, democracy is mainly centered on political freedoms and civil liberties although there are other democratic tenets. On a much broader platform, for the whole set of Western nations, regular, free and fair elections, freedom of press and lately internet, human rights (women, children), multipartism and popular participation among others form the backbone of democracy and are purportedly lacking in Zimbabwe. Imposing sanctions on Zimbabwe is just a way to ensure the proliferation of these beliefs of what good governance is. With a perception that government is best that governs the least and governments should respect the will of people, the reason behind extending bans on Zimbabwe is an important means of sending a signal to the objectionable policies and beliefs held by the receivers.

On the other hand, the Zimbabwean government views itself as a victim of unfair treatment yet it is one of the most democratic states in the continent. The President of Zimbabwe boasts to have introduced democracy in Zimbabwe. The history of democracy in Zimbabwe came with independence in 1980. Ever since, there has been regular parliamentary elections after every five years and presidential elections every six years (since 1990) ²² . Zimbabwe is one of the few Southern- African countries which legislatively incorporates many provisions of the 2004 SADC Principles and Guidelines on Democratic Elections. However, Zimbabwe received a lot of criticism from the international and domestic civil society, opposition parties and western governments concerning the 2000 and 2005 parliamentary as well as the 2002 and the 2008 presidential elections as heavily flawed and irregular. An analysis of this reveals that although Zimbabwe holds periodic elections, hence upholding one of the major cornerstones of democracy, these elections have been perceived as a formality as they do not represent the will of the people. The rejection of the government-

¹⁹ Chigora Percyslage (2006) : On Crossroads: Reflections on Zimbabwe's Relations with Britain at the New Millennium; Alternatives Turkish Journal of International Relations: Vol. 5 (3)

²⁰ Hufbauer Clyde Gary, Schott Jeffrey J and Elliot Ann Kimberly(2007): Economic Sanctions Reconsidered: 3rd Ed Washington, DC, Peterson Institute for International Economics

²¹ Drury Cooper Alfred and Peksen Dursun (2006): Economic Sanctions and Democracy: Boston, Massachusetts (8)

²² Patel Hasu and Stephen Chan (2006): Zimbabwe's Foreign Policy: A Conversation; The Round Table; 95 (384): 175-190

sponsored draft constitution in February 2000 and the subsequent gain of a significant number of votes by the then 9 month opposition Movement for Democratic Opposition (MDC) party in the 2000 general elections made it apparent to the government that political threats existed with the continued antagonism between the Zimbabwe National Union Patriotic Front (ZANU PF) and MDC. Consequently, all the elections held after the millennium have faced severe criticism. To the Zimbabwean government, basing on the history of democracy, the country does not deserve these punitive measures yet to the Western states even though elections are held they are still marred with rigging, political violence and injustices. The Western mentality reflects that democracy is a whole package which should be embraced as a whole and not partly. Apart from elections, democracy has a whole lot of issues that Zimbabwe government is ignoring and unless and until these are addressed then sanctions cannot be lifted. The Zimbabwean government has also argued that there are many de jure and de facto one party- states in the world which are recipients of United States support. Furthermore, they perceive Zimbabwe to be a multiparty state, with an independent press and judiciary and one of the longest stable African democracies.

WHAT IS THE NATURE OF US SANCTIONS TO ZIMBABWE?

Sanction are understood as embargoes covering a variable selection of goods and or services applied by one country or group of countries against another, aimed at influencing the latter's behavior.²³ A smart/targeted sanctions policy is one that imposes coercive pressure on specific individuals and entities and restricts selective products or activities while minimizing unintended economic and social consequences for vulnerable populations and innocent bystanders²⁴. This is achievable through travel bans, freezing of financial and capital assets, suspension of diplomatic relations and any kind of embargoes on the leadership or specified individuals of a targeted state. Smart sanctions emerged amidst the growing concerns of the negative humanitarian consequences of comprehensive sanctions and they are considered to be a refinement of the conventional comprehensive sanctions. Unlike the comprehensive economic sanctions, smart/targeted sanctions are meant to limit the impact of a sanctions regime to specific individuals or entities while minimizing the impact or negative fallout on third parties. According to the US sanctions policy they imposed targeted/smart sanctions on Zimbabwe. However, the Zimbabwe government has argued the

US sanctions imposed on Zimbabwe are comprehensive and economic in nature since they have caused adverse economic costs both on the economy and the masses. Their argument is strongly supported and revolves around the US enactment of the Zimbabwe Democracy and Economic Recovery Act of 2001 (herein after referred to as ZIDERA) specifically contained in Section 4c, titled "Multilateral Financial Restrictions".

Until the President makes the Certification described in subsection (d) ...the Secretary of the Treasury executive director to each of the international financial institutions to oppose or vote against

- 1) An extension by the respective institutions of any loan, credit or guarantee to the Government of Zimbabwe or
- 2) Any cancellation or reduction of indebtedness owed by the Government of Zimbabwe to the United States or any international financial institution²⁵.

Under this act International Monetary Fund (IMF), World Bank (WB) and the African Development Bank (ADB) cannot extend any loan or credit guarantee to the Zimbabwe government without the approval of the United States president. Since the day ZIDERA was promulgated any loan application made to the IMF, WB or ADB was thwarted by the US directly through its vote or indirectly through its influence within the institutions. Against this background, ZIDERA subtly marked the beginning of economic sanctions on Zimbabwe. Although the original motive was to "support the people of Zimbabwe in their struggle to effect peaceful, democratic change, achieve broad-based and equitable economic growth and restore the rule of law"²⁶, the introduction of ZIDERA ended up inadvertently affecting the ordinary helpless citizens. From a wider spectrum a number of political analysts have argued that Zimbabwe government's land policies, endemic corruption, myopic and inappropriate economic policies, political intolerance and human rights violations facilitated the economic melancholy but when analyzing the causes for the economic demise, it is imprecise not to integrate the impact of sanctions. The motive and nature of US sanctions according to ZIDERA has largely attracted critics to render them more economic than targeted.

The suspension of grants and loans from multilateral institutions did not have a direct impact on the targeted individuals since they already own vast pieces of land and have foreign reserves. Instead, with limited scope of external financing ,a large part of the public sector financing needs were met via money creation, which further fuelled the rapid monetary expansion and a sharp rise in inflation. Due to persistent skyrocketing inflation, the Zimbabwean dollar continued to lose value on the parallel market and by the end of January 2008, it was

²³ Doktorwurde Eder: Economic Trade between Africa and the European Union (With Special Reference to Sudan): Germany

²⁴ Cortright David, George Lopez and Elizabeth Rogers (2002: Smart Sanctions: Targeting Economic Statecraft: Rowman and Littlefield.

²⁵ <http://law.justia.com/us/codes/title22/22usc2151.html>

²⁶ Obama to Tighten Screws on Mugabe? allAfrica.com; 13 December 2008
<http://allafrica.com/stories/200812180812.html>

trading at 1 US dollar to \$6 million Zimbabwe dollars although the official rate was Z\$30 000 to the US dollar²⁷. The strained relationship between Zimbabwe and the multilateral agencies resulted in further demise of the economy. Zimbabwe's ability to reschedule its loan payments and to apply for debt cancellations in times of severe financial crisis was severely affected. It is clear that the impact of the ZIDERA became directed to the ordinary citizen who could not cope up with levels of inflation that skyrocketed on an hourly basis. At the beginning of 2009, the Zimbabwean government suspended the use of the Zimbabwean dollar because it had become incredibly valueless. Officially the state declared the use of the US dollar and the South African rand which has partly resolved the problem. However, recent reports of people engaging in barter trade owing to the scarcity of these two currencies.

...students had to settle their outstanding school fees in kind by tendering of valuables other than cash such as sugar beans, cows, goats, wheat, maize, provisions, fertilizer, chemicals and fuel coupons...²⁸.

To the Zimbabwean government, imposing targeted sanctions can never be a justification to deprive the country of the regular development funds as the ordinary citizens are the direct beneficiaries.

The shortage of forex, resources and any other commodities did not have an impact on the targeted elites as such; instead the local citizens resorted to the black market and other illicit means of obtaining basic commodities. In the few occasions where the masses obtained the basic commodities through the normal and legal channels, the prices were ludicrously high. Against this background it is questionable whether the US sanctions on the basis of ZIDERA should be viewed as targeting the elites (intended people). The impact of the sanctions have not differed from that of the much avoided comprehensive economic sanctions as they have proved to be blunt in the Zimbabwean scenario. If the motive is to put pressure on key decision makers, in their official capacity (ruling elite) while at the same time protecting the broader population then the impact ZIDERA might have overstretched neglecting the virtual protection of the ordinary citizens. Negative critics basing on the attributes of ZIDERA, have concluded that Zimbabwe sanctions are economic in nature and these have contributed to the immense economic turmoil the country has been experiencing. It is apparent the US smart sanctions had a negligible impact on the targeted elites as they simply shifted focus from the West to the East. This is strongly substantiated by the strengthened ties between China and Zimbabwe as depicted by the much publicized "Look

East Policy" initially with a focus on Malaysia but lately is revolving around China as the focus of attention. Whilst the impact of economic comprehensive sanctions have a large geographic expanse or rather stretch to infinite, targeted sanctions seek to deal directly with the perpetrator and spare potential innocent victims thus leading to hastened change of the sanctionee behavior.

However, contrary to the US perception, this set of sanctions are entirely "targeted" or "smart" because the US administration also ordered the freezing of assets and barred US citizens to engage in any dealings or transactions with the targeted individuals²⁹. Given the fact that US's current options are few, smart sanctions could be a winning prospect, well worth committing the energy, strategy and political capital necessary for success. The United States has renewed sanctions against Zimbabwe several times since targeted sanctions unlike comprehensive have an allowance to be tightened with time in order to ensure total success. To the US, the targeted sanctions have managed to isolate the political leadership from the privileges they have amassed and prevented further profiteering and abuse of national assets. Targeting the responsible elites and their beneficiaries in some instances their children further qualifies the level of "targeting" and brings in a new dimension to the sanctions discourse as depicted by biblical saying "children suffer for the sins of their fathers". Just like Australia the US engaged on a programme to deport children of some senior government officials attending universities. The US sanctions prohibited traveling to and from US, freezing of assets entailing withholding of bank funds in the name of nominated beneficiaries in countries that have endorsed the list. This move is somewhat new and sophisticated in regards to the targeted sanctions regime and to them this shows a more innovative way of tightening the sanctions sending the level of "targetedness" much higher.

The perpetual disagreement between the US and Zimbabwe governments on the nature of these sanctions has further sustained sanctions existence. Whilst the government of Zimbabwe has maintained that the US "economic sanctions" are responsible for the suffering and hardships of Zimbabweans that saw the country grappling for fuel, electricity, food and hard cash, US has argued that the government's poor policies such as land invasions that destabilized agriculture, sending food production tumbling by about 60%³⁰ leaving Zimbabwe dependent on food aid and the repressive characteristics of the government are the cause for the alarming economic meltdown and their ultimate objective is to force out those responsible for these poor and objectionable policies.

²⁷ Robertson Economic Information Services 2008

²⁸ New Zimbabwe.com: Forex Shortages fuel Barter Trade; Audit: 15 November 2009

²⁹ US Department of the Treasury: <http://www.treas.gov/offices/enforcement/ofac/programs/zimbabwe/zimb.shtml>

³⁰ ibid

EU SANCTIONS: TARGETED SANCTIONS/ RESTRICTIVE MEASURES OR ECONOMIC SANCTIONS?

The EU “restrictive measures” as they are officially known were introduced on the 18th of February 2002, a month before the Zimbabwe presidential elections, under the conviction that the oncoming elections would not be considered free and fair because of the prevailing political situation of that time³¹. Additionally, the elections in 2000 were also considered as unfair and riddled with a lot of political violence against the opposition. The Common Policy espoused against specific individuals and organizations in Zimbabwe, strives at least in theory, to affect the targeted individuals promulgating objectionable policies in economic terms,

“funds, financial assets or economic resources of the person listed in the Annex (referring to a list of names), who are engaged in activities that seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe will be frozen...”. The policy continues

“no funds, financial assets or economic resources will be made directly or indirectly to the persons referred to in Paragraph 7...”³²

After a series of unfruitful joint consultations meant to coerce a change in the political situation and based on Article 96 of the Cotonou Agreement which Zimbabwe is a signatory, the EU then imposed sanctions on the Zimbabwean elite³³. The motive was and still is unless the Zimbabwe government improves its human rights records, observance of rule of law; holds free and fair elections for the benefit of the people, then the punitive measures would not be lifted. As the argument rages on whether sanctions imposed on Zimbabwe are comprehensive and economic or smart or targeted the European sanctions policy document has clearly stated that their set of sanctions are restrictive measures³⁴ as much as they are targeted economic sanctions to Canada and targeted sanctions to US. As earlier noted the terminology used to address the measures by the sanctioners has influenced the prospects to resolve this conflict.

Ironically, to the EU, the measures on Zimbabwe are not near “sanctions” in the traditional sense despite sanctioning Zimbabwean beef and tobacco exports into Europe its long-established, conventional and largest market. EU argues that their restrictive measures are

³¹ Eriksson Mikael (2007): Targeting the Leadership of Zimbabwe: A Path to Democracy and Normalization: Department of Peace and Conflict Research; Uppsala

³² Council Common Position of 18 February 2002 concerning restrictive measures on Zimbabwe.

³³ *ibid*

³⁴ The EU policy documents on the Zimbabwe sanctions have clearly stated that the embargoes leveled against Zimbabwe are not sanctions in the literal sense but more of restrictive sanctions.

solely directed to the targeted individuals propagating obnoxious policies on the Zimbabwean masses. Their argument is that unlike some entities (IMF, WB) heavily controlled by the US and UK, they are still providing development funds directly to the Zimbabwean people to counter any casualties. To them it is simply a shift in the structures distributing the developmental aid. Instead of using the government directly (since they are the direct beneficiaries of the restrictive measures) they now use non-governmental organizations and other technical cooperation programmes to ensure budgetary support. The motive is to minimize by all means possible, the possibility of the government handling funds in a bid to reduce the abuse of funds. Furthermore, the restriction follows the ban imposed on all the targeted individuals, their families and any related parties from traveling in and around Europe. A fair analysis of this strategy considers it viable mainly because most elite families became disabled to fulfill their usual flamboyant holidays and trips considering an average Zimbabwean family cannot afford taking trips to Europe. The understanding is, such a move curtails the number of trips made by the elite around the world hence consequently reducing the strain of the public purse. The restrictive measures also included the freezing of assets and bank accounts owned by the senior government officials. The current targeted list of people and organizations stands at approximately 203 people and 40 entities (EU list)³⁵, 254 people and 4 entities (Australia list)³⁶. Significantly this works against money laundering and externalization of foreign currency.

On the contrary the beneficiaries of the sanctions argue that the use of the terms “restrictive” or “targeted” are a publicity stunt to hide the devastating and catastrophic nature of economic sanctions imposed on Zimbabwe. This perspective is linked to the consequential and long-term impact of these measures. In fact the government of Zimbabwe has publicly referred to them as “illegal sanctions”³⁷ and in more heated situations as “evil” because they have contributed to Zimbabwe’s deteriorating export performance. However, despite the continued support given by the EU in monetary form, through NGOs and other aid organizations, the barring of Zimbabwean exports into the European Union has exacerbated the plight of the already struggling ordinary Zimbabwean citizens. Against a background that export performance is vital for the sustainability of the larger domestic markets, the move by the EU induced pressure on resource availability and starved the masses hence the argument that these restrictive measures are in fact a comprehensive pack of sanctions. To the ordinary Zimbabwean, it is becoming apparent that the continued economic sta-

³⁵ EU Sanctions list : <http://www.thezimbabwezetimes.com/?p=10914>

³⁶ Australian sanctions List : <http://www.zimbabwemetro.com/finance/australia-sanctions-against-zimbabwe—the-list/>

³⁷ Mugabe calls Zimbabwe Sanctions “illegal”. <http://www.thezimbabwezetimes.com>

gnation of the country is a consequence of the targeted sanctions. It is important to note that the theoretical difference between smart and comprehensive economic sanctions can be viewed in two ways- firstly smart sanctions more effectively target and penalize via embargoes, financial sanctions and travel restrictions of the political elites espousing policies and committing actions deemed reprehensible by the international community- secondly they protect vulnerable social groups (for example children, women, the elderly, the infirm) from the so-called collateral damage by exempting specified commodities³⁸. These significant discrepancies in the jargon used to refer to embargoes on Zimbabwean have a bearing on the ultimate nature of the sanctions. Most importantly, it has rendered the prospects for re-engagement and rehabilitation gloomy. Whilst the EU and US governments consider the rationality and justifications behind their restrictive and targeted measures as the only means to ensure democratic reforms and respect for human rights by depriving the elites of the usual privileges consequently paving way to regime change, the government of Zimbabwe perceives themselves as being penalized for a right cause of redistributing the land amongst the once marginalized blacks.

Conclusion

It is imperative for the sanctioners and the sanctionees to address this "war on lingo" as the wording of the policy says a lot about the responses of both the senders and receivers of the sanctions. Additionally, the expressions used by the parties respectively are escalating the tension. As the Zimbabwe government is referring and popularizing the Western stance as sanctions policy through the media not only is the melancholy amongst ordinary citizens increasing but also resentment against the Western states. On the other hand, as the Western countries refer to their move as either restrictive measures or targeted/smart, not only is there an impression that these punitive measures are just a light stroke on the Zimbabwe government and directed to individuals but also a level of reluctance to assess their expansive and infinitive impact on an unintended audience.

A failure by both parties to reach a compromise as to which group in particular is suffering from the sanctions as reflected by the different interpretations of the nature, causes and definition of these measures renders the prospects of lifting sanctions a murky area. It is high time the parties involved strike a compromise through joint consultative meetings regarding this dispute. However, there is need for both parties to clearly agree on what initially prompted the conflict in the first place, its nature as depicted by the various ways in which parties have referred it as. In a nutshell, it is apparent that this set of

sanctions has components of both economic and targeted sanctions and can be fairly regarded as a mixed bag. Whilst it is undisputable, targeted sanctions, if effectively implemented, focus attention on resented behavior reflected by the targeted individuals and entities, pressures sanctionees to modify their behavior and serve as a valuable component of broader strategy at promoting political and economic reform in a target country, there is need to be on the alert to deal with the spill-over effects of the sanctions.

It is a major step that there is unity government in Zimbabwe and what is needed now is for the coalition government to engage in constructive talks that will ensure the stability of the unity agreement. Apart from this productive internal dialogue, the senders of sanctions along with Zimbabwe need to engage in a diplomatic dialogue. They both need to have a deeper understanding of the factors guiding the each other's ideology in the understanding of the causes of the conflict and the consequent use of sanctions. The complexities brought about by colonialism the historical background of bilateral relations should help all the countries in coming to agreement. Concurrently, the Government of Zimbabwe has a moral obligation to uphold human rights and democratic principles for the benefit of the masses. Efforts should be directed to be accountable to the electorate without external coercion and there can be no justification whatsoever of depriving the majority their rights.

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