

Resurgent Authoritarianism:



Store looted in Entumbane, Bulawayo, on 15 January 2019

The Politics of the January 2019 Violence in Zimbabwe

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Zimbabwe Political Context: February 2019

Introduction: The 2019 Protests

Since the November 2017 military coup, Zimbabwean politics was once again plunged into a legitimacy crisis, a situation exacerbated by the contestations over the July 2018 Harmonised election results, and the violence that followed on 1 August. Notwithstanding the political and economic reformist language of international re-engagement of the Mnangagwa regime since that moment, the shadow of Mugabe's authoritarian nationalist politics continued to hover over the post-coup attempt at political renewal. With the economic crisis deepening throughout 2018, the already fragile livelihoods of the majority of Zimbabwean citizens became even more precarious. In late 2018, public sector workers including doctors, nurses and teachers went on strike over their depreciated salaries and working conditions in the face of rising inflation and the persistent monetary crisis in the country. Representing around 27.4 % of formal employment, the largest portion of formal employment in the country, the striking public sector workers presented a serious problem for the functioning of the state. Looking back to the 1990's it was the public sector strike of 1996 that signalled the onset of the broader trade union challenge to the Government's neo-liberal policies at a time when formal sector employment, though already on the decline, had a broader base.¹ The public sector strikes of late 2018 with the attendant fiscal challenges, once again presented a serious challenge to the professed attempts at fiscal restraint by the ED regime.

However, it was the steep increase of the price of fuel in January 2019 that provided the spark for a new round of popular protests. On the eve of his trip to Russia, Azerbaijan, Belarus and Kazakhstan, Mnangagwa announced a 250% rise in the price of fuel. In response the President of the ZCTU Peter Mutasa and the leader of the #ThisFlag movement Evan Mawarire called for a peaceful stay-away by the workforce from 14-16 January as a protest against this latest round of economic policy interventions.

The state responded swiftly and brutally to the outbreaks of violence resulting from the protests. Of the 17 extra-judicial killings reported, the areas most affected were Mbare, Mutare, Kadoma, Marondera, Hatfield, Kuwandzana, Chitungwiza, Glenview and Epworth. The perpetrators were mainly members of the Zimbabwe National Army and the Zimbabwe Republic Police. Of the total 954 arrests, while the effects were nationwide, the areas most affected were Harare (297), Bulawayo (237) and the Midlands (187). Most of the reported human rights violations were in Harare and Bulawayo, while Harare topped the number of killings, assaults by guns, shots as well as arbitrary arrests.²

In addition, civil society leaders were targeted in the state clampdown. Amongst those arrested or threatened with arrest were: Leader of the #ThisFlag movement, Evan Mawarire; Japhet Moyo and Peter Mutasa, the Secretary General and President of the ZCTU; Rashid Mahiya, Chair of the Crisis in

¹ B. Raftopoulos and L. Sachikonye (eds), *Striking Back: The Labour Movement and the Post-Colonial State in Zimbabwe since 2000*. Harare, Weaver Press, 2001.

² Zimbabwe Human Rights Forum, *On the Days of Darkness-An updated Report on the Human Rights Violations Committed between 14 January-5 February 2019*.

Zimbabwe Coalition, who remains in hiding while his family were harassed in his absence; Calvin Famibirai, Executive Director of the Zimbabwe Doctors for Human Rights; and Thabani Moyo, the spokesperson of the Crisis in Zimbabwe Coalition who was also forced to flee the country.³



Protestors, Harare, 14 January 2019. [Newsday]

An accumulation of anger and frustration amongst the largely unemployed youth and those in the informal sector quickly manifested itself on the streets of the country's cities. As in other countries that have experienced 'energy protests' such as Egypt, Myanmar, Mozambique, Nigeria and Pakistan, such protests that start off about material factors related to energy costs 'quite quickly morph into political complaint, and a critique of authoritarianism and in particular, corruption'.⁴

The multi-layered nature of the protest issues can in part be located in the broader fragmentation, informalisation and the weakening of labour structures that have been apparent since the early 2000's.⁵ Moreover, these forms of protests by young, unemployed youth have begun to indicate different perceptions of the idea of citizenship. For much of Zimbabwean history, the nationalist parties in the colonial period, as well as the political and civic opposition in the post-colonial period, drew on the 'instrumental and discursive mobilisation of the law to challenge the actions of the

³ Amnesty International, 'Open for Business', Closed for Dissent- Crackdown in Zimbabwe during the National Stay-away 14-16 January 2019.

⁴ IDS Working Paper Volume 18 2018 No 513. *Energy Protests in Fragile Settings: The unruly politics of Provisions in Egypt, Myanmar, Mozambique, Nigeria, Pakistan and Zimbabwe, 2007-2017*. Institute of Development Studies, Sussex, UK, PP32-33.

⁵ For a detailed analysis of the weakening of the trade union movement since 2000 see L. Sachikonye, B.Raftopoulos and G. Kanyenze (eds), *Building from the Rubble: The Labour Movement in Zimbabwe since 2000*. Weaver Press, Harare, 2018.

state'.⁶ The continued use of the law to confront an authoritarian state and highly politicised judiciary has been the hall mark of opposition and civic politics in the post 1980 period.⁷ However the prospect of persistent unemployment and poverty, desperately fragile livelihoods that have displaced and divided families into a global diaspora, and a disturbing loss of hope in electoral outcomes, has begun to challenge these long- held claims of a political imaginary built around making legal claims against a rule bound state.⁸

The Response of the State

The response of the Zimbabwean state to the stay-away was brutal once again reminding Zimbabweans and the world of the continuity of Mugabean politics under the ED regime.⁹ The National Transitional Justice Working Group of Zimbabwe reported that in the wake of the riots a 'de facto' state of emergency existed in the country. The result was that at least 17 people were confirmed dead, 'dozens more missing, hundreds nursing wounds from gunshots, dog bites, assaults and torture'. In addition, 600 people were arrested in dragnet mode while many were held in detention, with shocking reports of rape by soldiers across the country.¹⁰

A report from the Zimbabwe Human Rights Commission reached an unequivocal conclusion:

The findings reveal that in the aftermath of the 14th January disturbances armed and uniformed members of the ZNA and the ZRP instigated systematic torture. The torture was organised in that they targeted men who stay near areas where barricades had been placed and near areas that were torched by protestors or looted.....It some instances it was also noted that those aligned to the MDC were also specifically targeted..¹¹

In a further indictment of the repressive state measures, concerned members of the legal profession sent a petition to the Chief Justice of Zimbabwe. The petitions argued that those arrested in the protests who were subjected to the criminal justice system were 'denied their basic, fundamental rights and freedoms'. Moreover the 'inordinately expedited trials' fell far below 'the elementary achievable standards of fair trial set out in section 69 of the Constitution'.¹² This deterioration in the

⁶ G.H Karekwaivanane, *The Struggle over State Power in Zimbabwe: Law and Politics since 1950*. Cambridge University Press, 2017, p.240

⁷ S. Verheul, 'Zimbabwean are foolishly litigious: Explaining the logic of appeals to a highly politicised legal system'. *Africa*, 86, 2016, 78-97.

⁸ B. Raftopoulos, 'With hope fading among its youth, the future for millions of Zimbabweans looks bleak'. *The Nation*, 09/08/18.

⁹ For SPT this was no surprise. See Solidarity Peace Trust Report, 'Old Beginnings-The Political Context of Zimbabwe and a report on Biometric Voter Registration: A National and Matabeleland Perspective'. 23rd February 2018.

¹⁰ National Transitional Justice Working Group of Zimbabwe, 'Crimes against Humanity Alert! Zimbabwe on the Brink as Violations intensify. 2nd February 2019.

¹¹ Zimbabwe Human Rights Commission, Monitoring Report in the Aftermath of the 14 January to 16 January 2019 'Stay-Away' and subsequent disturbances. <https://www.zhrc.org.zw/monitoring-report-in-the-aftermath-of-the-14-january-16-january-2019-stay-away-and-subsequent-disturbances/> See also the report by Amnesty International 'Open for Business' closed for dissent- Crackdown in Zimbabwe during the National Stay-away 14-16 January 2019. .

¹² Petition to the Chief Justice Zimbabwe. 29 January 2019.

credibility of the justice system and legal redress by state structures, has contributed to the issue raised above concerning the growing loss of faith in legal claims to citizenry amongst the youth.



Riot police beat a Harare citizen, 15 January 2019 [Newsday]

In addition, the Government of Zimbabwe shut down the internet during the week of the protests. This was a response to the successful use of social media to mobilise and provide information for various groups involved in the protests. As has been noted elsewhere in the last decade there have been 105 documented popular protests in urban areas in Angola, Gabon, Guinea, Algeria and other countries on the African continent, where the use of social media has been successfully deployed.¹³

As part of the massive repressive response of the state to the popular protests Zanu PF provided the narrative of 'regime change' to attempt justify its brutality. The Deputy Chief Secretary to the President and Cabinet, George Charamba first set out this proposition stating that while the face of protests was 'local' the 'politics were external'. Linking the events in Zimbabwe to recent protests in the Sudan and the DRC, Charamba claimed that this 'externally driven process' was meant to abort the electoral process 'in favour of a preferred candidate'. Furthermore, Charamba placed these events within the purview of US President Trump's latest Africa policy, noting that:

The core focus of the policy is checkmating Russia and China in the African continent itself the last frontier of natural resources. Secondly using coercive diplomacy and coercive politics, to compel independent African states to identify with Trump's American first policy and thirdly where the two fail, to use a combination of instability and war to achieve the same.¹⁴

¹³ A. Pitcher, *The ASA at 60: Advocacy in the Age of Tyranny. African Studies Review*, Vol 61 No 3, September 2018, pp. 8-26.

¹⁴ The Herald, 'Zim demos part of an African plot'. 23 January 2019.

Charamba's intervention was a precursor of a Government of Zimbabwe Report entitled '*Brief on the Political and Security Situation in Zimbabwe in the aftermath of the 14-16 January, 2019 violent protests*', released on 30 January 2019. The report accused the MDC and 'other local merchants of regime change' in order to, 'cause foreign intervention under the R2P Principle'.

In an interview with a French news agency at an AU summit in Addis Ababa in February 2019 Mnangagwa formally re-stated this position. He claimed that the protests were part of a 'pre-determined and pre-planned' regime change action 'well oiled by both local NGOs who are well funded and also the opposition MDC Alliance'. Mnangagwa further claimed that the accusations of rape were 'just a make-up by some organisations' in Zimbabwe.¹⁵

This line of argument is a return to the authoritarian nationalist, selective anti-imperialist and anti-human rights narrative of the Mugabe era. In the process, the reformist political discourse of the pre-2018 election period has been set aside, at least for the time being. However, as we discuss below, the Mnangagwa regime is still attempting to articulate some pretence at reform and inclusivity even if it is in a form that is unlikely to contribute to the re-engagement promise of the immediate post-coup period.

Response of SADC and the Internal Players

Unsurprisingly SADC once again came out in support of a member state even in the face of such clear evidence of state brutality against its citizens. A statement issued by the current head of SADC repeated the official position of the Mnangagwa regime. It criticised 'some internal players, in particular NGOs, supported by external players' who have 'continued to destabilise the country'. It also condemned the continued imposition of 'illegal sanctions' on the country.¹⁶ Early signs of this position were clear in South African President Ramaphosa's speech at the ILO in January 2019 in which he claimed that because the Government of Zimbabwe had 'embarked on democracy' the sanctions against Zimbabwe were no longer necessary.¹⁷ Even before SADC made this statement of support for the ED government, the leader of the MDC-A opposition party Nelson Chamisa expressed his doubts over the efficacy of appealing to the regional body. In his words:

I don't know how many bodies are supposed to be killed, how much blood is supposed to flow on the streets of Harare before SADC says something. I don't know how many women have to be raped before we begin to see the intervention of the regional bodies to try to help the situation.¹⁸

As opposed to the response of SADC, the UK, EU and the US all condemned the excessive force and human rights abuses of the Zimbabwean state, calling for a return to the commitment to political and economic reforms and inclusive and credible national dialogue on the way forward.¹⁹ The most recent resolution of the European Parliament in mid-February strongly condemned the violence and excessive force in January, reminding the Government of Zimbabwe that long term support is

¹⁵ The Herald, 'Shutdown a Regime Change attempt: ED'. 12 February 2019.

¹⁶ The Herald, 'SADC backs Zim against onslaught'. 12 February 2019.

¹⁷ The Daily News, 'Ramaphosa angers Zimbabweans'. 24 January 2019.

¹⁸ The Daily News, 'SADC not keen to address Zim Crisis: Chamisa'. 1 February 2019.

¹⁹ 'US slams ED Govt over violence'. www.newsdezeimbabwe.co.zw 13/02/19.

dependent on 'comprehensive reforms rather than mere promises'. The resolution also called on the European Parliament to review restrictive measures against 'individuals and entities in Zimbabwe, including those measures currently suspended, in the light of accountability for recent state violence'.²⁰ This message echoed the demands that civic groups and the major opposition party have made since the November 2017 coup.

These contrasting positions have once again polarised the regional and Western Government positions in the Zimbabwe crisis. The consensus on economic and political reforms that had slowly begun to emerge during the period of the Global Political Agreement (2009-2013), and in the aftermath of the November 2017 coup and the run up to the 2018 elections, has once again been side-lined. Moreover, SADC sought to consolidate this polarisation in a statement on Venezuela that followed the solidarity position on Zimbabwe. The regional body condemned some foreign countries 'who have sought to undermine a democratically elected government of the Bolivarian Republic of Venezuela led by Nicolas Maduro Moras'.²¹

In response to these renewed criticisms from Western countries, the Mnangagwa regime has reached out further to its authoritarian economic and political partners in Eurasia and China. In countries like Zimbabwe, linkages with other autocratic regimes either in the region or at a broader international level, provide some protection against forces pushing for democratic change. Moreover, these authoritarian linkages tend to consolidate the forces in the military and business sectors, for whom any form of serious economic and political reform would contribute to their disintegration.²² Once again SADC has conflated genuine concerns over imperial interventions in the developing world with the fight for democratic and human rights by national forces. Like Zanu PF, both under Mugabe and Mnangagwa, SADC has affirmed its support for a selective anti-imperialist narrative by an authoritarian nationalist regime that conflates the fight for democratic rights with outside intervention. It is discursive battle that the political opposition and civic opposition have had to contend with for nearly two decades and it is a difficult issue to contend with. The challenge is to combine a critical view of external interventions with an equally stringent critique of domestic authoritarian rule.

Going Forward

Despite the return to the discursive onslaught of the Mugabe era, the ED administration cannot afford to completely abandon even the slightest pretence at reform. The options for economic recovery are too slender to maintain such a position, even if the current situation does not translate into automatic collapse. It is clear from the aftermath of the Motlanthe Commission that the regime has no intention of taking serious action against the violence and brutality of the security forces. In fact, the very form and content of the Commission itself was largely set up to indemnify the state's violent response to the protests. As with colonial commissions of the past, while it found the violent actions of the state regrettable and lamentable, the Commission nevertheless endorsed the state

²⁰ European Parliament Resolution of 14 February 2019 on Zimbabwe (2019/2563 (RSP))

²¹ The Herald, 'SADC condemns interference, intervention in Venezuela'. 12 February 2019.

²² O.Tansey and K. Koehler, 'Ties to the Rest: Autocratic Linkages and Regime Survival'. *Comparative Political Studies*, September 2016. DOI:10.1177/0010414016666859

interventions as necessary to deal with the 'pre-planned and well-organised'²³ violence, the same terms that Mnangagwa replicated in his justification of the state violence.²⁴

Moving within this same form of minimalist attempts at reform, Mnangagwa embarked on two initiatives. The first was the establishment of the Presidential Advisory Council on the 30th January. Amongst the terms of reference of the Council are the following:

- From time to time to help with a comprehensive situational analysis on the state of the economy, and investment in the country;
- To proffer ideas and suggestions on key reforms and measures needed to improve the investment and business climate in the country for economic recovery and growth.²⁵

There is little chance that this council will be more than limp side show for real decision making. Moreover, it is a far cry from the more substantive Tripartite National Forum that the ZCTU has recommended for over a decade, which would put in place a more binding social contract for the country.

The second initiative was the beginning of a so called 'national dialogue' at a meeting of all the political parties that competed for the 2018 elections on the 6 February 2019. As a prerequisite for the dialogue Mnangagawa made two demands:

- All parties should accept the results of the 2018 elections as a 'legitimate expression of the will of the people of Zimbabwe'.
- All parties should stand against the 'illegal sanctions imposed on the country and the call for their removal should be an all-party affair'.²⁶

Not surprisingly, the president of the main opposition party the MDC Alliance, Nelson Chamisa, refused to attend the meeting. Instead he participated in a parallel process led by the Zimbabwe Council of Churches, at which meeting he demanded that a prerequisite for any genuine national dialogue must be a 'respected and credible mediator'. He endorsed the church as an appropriate convenor.²⁷

Given the current political polarisation, both between the major political parties at a national level, and between the SADC region and the Western players, the chances of national dialogue appear to be weak in the current context. Nevertheless, the major strategic task for all democratic forces involved in the Zimbabwe national question in the immediate future will be to build sufficient consensus for credible national, regional and international forces to assist with a national dialogue.

²³ Zimbabwe: Report of the Commission of Inquiry into the 1st August 2018 post- election violence.

²⁴ For an excellent discussion on the long- term impact of colonial commissions on post- colonial states see A. Sitze, *The Impossible Machine: A Genealogy of South Africa's Truth and Reconciliation Commission*. Ann Arbor, MI: University of Michigan Press, 2013.

²⁵ Statement by the Chief Secretary to the President and Cabinet on announcing the establishment of the Presidential Advisory Council (PAC): 30 January 2019.

²⁶ The Herald, 'The Nation Talks'. 7 February 2019.

²⁷ NewsDay, 'ED, Chamisa play hide and seek'. 8 February 2019.

The Unfolding of the Stay Away and Associated Violence In Bulawayo, Zimbabwe: 14 – 25 January 2019

Overview

Events during the two weeks 14 – 28 January 2019 unfolded differently in different parts of Zimbabwe. Harare was immediately plunged into a violent response from the state to the stay away, which resulted in around 70 gun-shot wounds and an estimated 17 deaths, as well as other serious injuries, as has been documented by the Zimbabwe Association of Doctors for Human Rights, the Human Rights NGO Forum, the National Transitional Justice Working Group, the Zimbabwe Human Rights Commission and various media outlets. In addition to state violence, there were reports of tyre burnings and looting by ordinary citizens, which included the destruction of a police station in Marondera. However, the looting was shut down fairly quickly in most parts of the country, by an excessive response from the state.

In Bulawayo, the first two to three days were days in which anarchy seemed to prevail, in an almost total vacuum of response from the state.

Several deaths occurred, at times at the hands of mobs, and some at the hands of the state. Five deaths have been alleged to have occurred, as follows:

- a looter bled to death after climbing through a smashed plate glass window at Chicken Corner in Tshabalala.
- a policeman was stoned to death by mobs on 14 January.
- a young boy was run over by an army truck.
- one elderly man died after being tear gassed.

As far as the authors are aware, these **four cases** are the total of deaths in Bulawayo, and all occurred as a result of incidents on 14 or 15 January 2019.

It is also known that there were at least **two shootings of civilian looters by the police** during these first few days: they were treated for severe injuries.

Additionally, **one soldier was shot by a store owner while he was looting his store**, together with two other looting soldiers, who were not wounded. The wounded soldier has been charged with looting and was under police guard in hospital. The shop owner has also been arrested and charged with the shooting. An unspecified number of Honda Fits were also destroyed by crowds in the centre of Bulawayo in the first hours of the stay away, as they were not respecting the stay away. Two ZANU PF vehicles were burnt in Tshabalala – and the woman who owned them escaped narrowly from mobs wanting to kill her. There were multiple other vehicles burnt, particularly in the first day. Several individuals were severely hurt, some by mobs, and some by riot police beatings or by tear gas (see more details ahead). As time progressed, soldiers were deployed and began to beat people, but this was not until the third day.

In all this mayhem, almost every store in the western suburbs was not only looted, but vandalized. In some instances, stores looked as if they were in a war zone, damage was so extensive. At times, gangs of youngsters were reported to have fought running battles that lasted hours, some trying to protect stores, others to loot – and there was no response, or dramatically inadequate response,

from the police, in spite of appeals for help. There were multiple reports of police and riot squad vastly being outnumbered and standing by as mobs looted, and reports of riot squad running away in the face of threats.

By Tuesday night, 15th January, soldiers were deployed in the western suburbs, by which time looting had continued unabated for two days, and stories of beatings and arrests began. The time of anarchy was followed by a time of excessive state response. However, it is noted that while many scores of beatings and injuries from teargassing were reported, the state response appeared by all accounts to have been less widespread in Bulawayo than Harare. **Any injury inflicted by a soldier on civilians must be condemned: it is the role of adequately trained police to respond in times of civilian unrest, not the army. The use of live ammunition in a civilian context is condemned.**

INCREASED STATE VIOLENCE AGAINST CIVILIANS: 21-25 JANUARY

On Tuesday 22nd, there was a dramatic escalation of reports of random beatings by soldiers. In Mabutweni, which is close to Entumbane where a policeman was stoned to death, soldiers conducted systematic house to house searches after dark on Tuesday 22nd, where all males in these houses were forced to lie face down for severe beatings. Furthermore, on Wednesday 23rd during the day, soldiers were reported to be dragging taxi drivers and their touts out of kombi taxis and beating them if they believed they were charging more than \$1 for trips. Eyewitnesses have confirmed these events, as have first-hand victims. Both situations eased by Friday 25th, although some beatings continued to be reported.



Entumbane Choppies, looted, vandalized and burnt, morning of 15 January.



Choppies burnt truck, Entumbane, 15 January 2019



OccZim building, destroyed, 15 January 2019

What follows is a more detailed outline of these events, including eye witness accounts.

Timeline

January 2019

12 January:

President Emmersen Mnangagwa made an announcement that the price of fuel was increasing with immediate effect, from \$1.30 per litre to \$3.11 per litre, an increase of more than 200%.

13 January:

President Mnangagwa left Zimbabwe for Eastern Europe. The President of the Zimbabwe Council of Trade Unions (ZCTU), Peter Mutasa, and Pastor Evan Mawarire of the #This Flag movement made an appeal via a social media video for a stay away, beginning on Monday 14th until 16th to protest the rise in the price of fuel and the knock-on effect on transport and other overheads in the country. The call was for a *peaceful stay away*.

14 January:

0800 -1000 H: the stay away began slowly in Bulawayo, with most businesses opening in the morning. However, the kombi taxis began to blockade the roads and refuse to move passengers: the increase in the price of fuel has affected them most directly. Before 10 am on Monday, crowds of young men began jogging through the centre of Bulawayo, singing, “*ED, we don’t like what you are doing*” in IsiNdebele. The crowds gained momentum and headed for government offices including the passport office, to demand that those queueing for services respected the stay-away. Riot police began teargassing the crowds, and trying to drive them out of the town centre, back toward Renkini Bus Terminus. Allegedly at least one Honda Fit was burnt by the protestors: the Honda Fits are associated with running alternative transport to the kombi taxis, and at that stage these other taxis were not all complying with the call for a stay away.

Businesses in town hurriedly shut their doors and vehicles streamed out of the city centre. Schools close to town were immediately closed, including the Bulawayo Convent, Coghlan School and others, which had been affected by drifting tear gas. As there were no taxis running, many school children walked many kilometers to get home.

Noon onwards: workers who realised the stay away was gaining force and who found themselves in town, needing to get back to the high density suburbs, were faced with a dilemma of no transport. Almost no kombis were running from town in that westerly direction. The Honda Fits that were still operating were charging extortionate fees of \$40.

Those in private vehicles who headed back towards the western suburbs found that already from noon, it was impossible to proceed along the main roads into the townships as the police were firing teargas at taxi blockades and protestors. However, even the backroads were ‘tollgated’ by what quickly became known as the *omavala* – an IsiNdebele phrase loosely meaning “those who block the

way". These *omavala*, some as young as 11 years old (Cowdray Park) were people who demanded 'toll fees' to traverse 'their' block of the suburbs. They would often demand as much as \$50, but commonly accepted as little as 50c from motorists. By this time, many roads were entirely impassable with burning tyres and rocks, so that progress home was extremely slow and treacherous, with the need to negotiate with multiple *omavala*. In some parts of town, there was a new 'tollgate' every 10m - 80m.

I saw a lot of things – at one 'tollgate' we were told by the omavala to go and loot at the nearby shopping centre! They said, "There is looting taking place, go and loot." Another boy said, "this car is dirty, I will wash it" – so I took out some money and gave it to them as I was getting frightened that they might set the car on fire. At some of these 'toll gates' the youth were smoking mbanje. [DD]

We got into new Khami Road via Westgate. We proceeded via side roads. We met our first 'toll gate', manned by aggressive youth. They said they wanted 50 bond! We gave them 2. Ultimately we parted with 5. But we had to negotiate our way home through multiple tollgates, we paid 50c at most. They looked very angry. [JN]

I stay locally in Nketa and what I observed on Monday - I used the long route home, we met these young guys demanding \$2 or \$5 to go by. I knew one of them from church and so I refused to pay. We saw people coming from 'Food 4 Less' carrying rice. We saw young boys aged 8 or 9 years carrying trays of bread – it was everyone looting. [SN]

The speed with which angry youth all over town capitalized on the unfolding situation was astonishing: the western suburbs degenerated into a kind of anarchy within hours. An eyewitness commented:

The anger that I saw on Monday amongst the youth who were out screaming and shouting was unbelievable. [DD]

These seemed to be spontaneous outbreaks of rage, with individuals or small groups immediately capitalizing on the situation, as opposed to anything organized or overseen by any broader group or agenda.

There are unconfirmed reports that a Honda Fit driver was beaten to death by Kombi drivers on a main road into the western suburbs of Bulawayo. On this same afternoon, it is confirmed that a policeman was stoned to death by angry mobs in Entumbane. At least one other video began circulating of another policeman being stoned in Bulawayo, while riding a bicycle.

PHASE ONE: LOOTING ON 14 and 15 January

A THIRD FORCE?

- **In some shopping centres, such as in Cowdray Park on the night of 14 January, it has been reported that men in a truck used a generator and cutting discs to remove burglar bars and corrugated iron blinds, and then left, without looting themselves:** if this happened, it would have been a deliberate act of provocation, opening the way to looting in the context

of the instability that was prevailing. Whether this action can be interpreted as unequivocal evidence of a Third Force remains unclear to the authors, as it has proved hard to find more than a handful of businesses that show evidence of this kind of entry.

- Who any Third Force might have been is equally mysterious. Ordinary citizens have reported they think this was the military, but the state has blamed the opposition and civics for this.²⁸ If these were state *agent provocateurs*, their motive for encouraging looting remains unclear, unless it was to justify the clampdown that ensued. It has been suggested that it could have been a deliberate attempt to sabotage businesses in Bulawayo and punish residents in high density areas by leaving them without easy access to food *in situ*. However, from interviews with eye witnesses, in fact those businesses associated with ZANU PF owners or 'Shona' owners or tenants were the most severely targeted by looters in Bulawayo, with a few exceptions.
- While many businesses may never recover, it has been observed that food was available via tuckshops within two days of the vandalism: those businesses that had resources to quickly replace broken infrastructure restocked within days, if with limited items. The biggest impediment to buying food in the high density suburbs of Bulawayo is the obvious and extreme poverty, not the absence of goods.
- ***Furthermore, it must be noted, as will be described below, that in Bulawayo at least, many shops were looted simply by crowds without the benefit of cutting discs, beginning on Monday, before the first accounts of these 'cutting disc' mystery men. Even on Tuesday, when the Entumbane Choppies and OccZim were completely destroyed, eye witness accounts from the owners, who were there, report that the culprits were toyi-toyi-ing groups of youths, singing that they were going to burn Choppies. The owner reported seeing them advancing down the main road in a huge group. They began by throwing stones on the roof, and then broke in and looted, as well as stealing all the fridge compressors, before torching the entire centre. There was no talk of some people opening the shops and then leaving, or of disc cutters being used.***
- It must be considered also, that the stay away was only called on Sunday evening, and the massive looting was widespread by noon on Monday. This seems like a very short time period to set up a 'third force', particularly as there was originally little expectation that the stay away would take hold, considering the short notice.

For the above reasons, the authors remain unconvinced by the Third Force, although still open to being persuaded if any more concrete evidence comes to light. We have had too many eye-witness accounts of mobs breaking down shops to think that any special party played a significant role. This is not to deny that disc cutters might have been used on some shops. They are not that uncommon in the western suburbs where people make money through informal repairs, so this is in itself not a conclusive observation: it is also not impossible that one or two store owners were specifically targeted by these disc cutters, to settle political or personal scores.

Noon onwards on 14th January: looting began and intensified in the high density suburbs.

- The looting began in different ways depending on the shopping centre.

²⁸ Multiple interviews with eye witnesses and commentators, plus personal observations of the stores looted. Various officials of the state have repeatedly blamed civics and the opposition for planning and carrying out the violence. Rumours of the Third Force persist but first hand witnesses are hard to find.

- **Pumula** was where the first looting is reported to have begun: it was already in full swing by early afternoon on Monday.

A Pumula eye witness reported:

As I got there, there was shooting taking place and lots of police. Police were shooting trying to disperse people and throwing tear gas. This was 3 pm on Monday. It took around 2-3 hours, with the shooting. But people were not dispersing – there were hundreds and hundreds of people. The police were shooting in the air at one end of the shopping centre to disperse the people, and then minutes later they would move to the other side and shoot at that end, and people would go in and loot at the side that the police had left. I saw one prison guard carrying a Choppies plastic bag full of goods. Choppies Pumula East was badly burnt, it was the first suburb to loot, it spread to other places from there. In old Pumula, the shops were also all burnt including the pharmacy.... Later on the police managed to take their police car which was upside down, and they turned it the right way up, and they waved at people to say ‘bye bye’ as they left. The looting continued. [SN]

An on-site visit to Pumula on 26 January, in which shop tenants and owners were found and interviewed, reported that locals were behind the looting. The Old Pumula Pharmacy, housed in one of the very first shops in Bulawayo’s western suburbs, was among those destroyed. The owner spoke to the authors and confirmed that it was locals who destroyed his building.



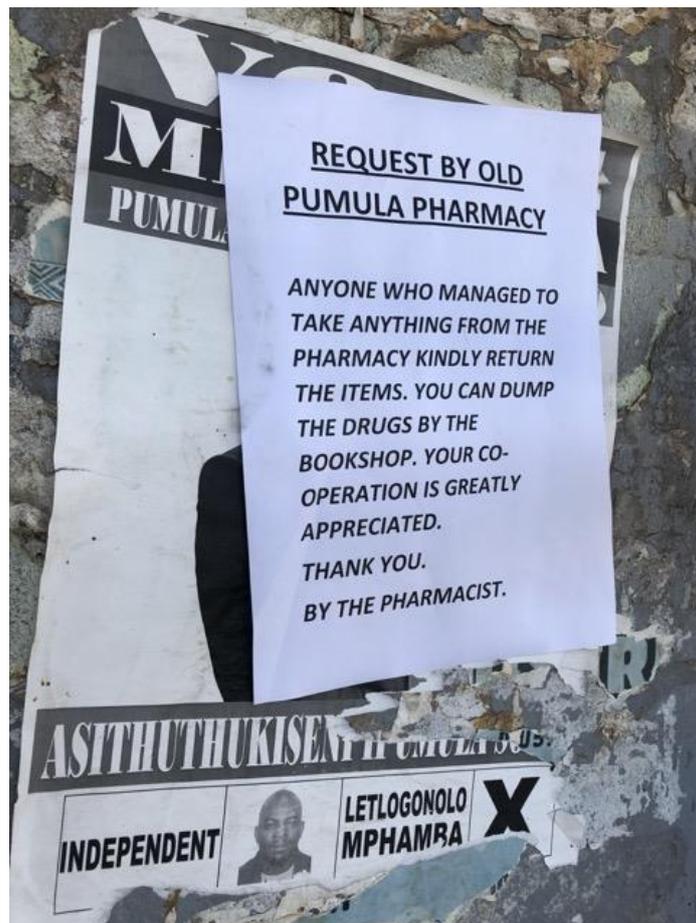
Looted and burnt on 14 January 2019, Pumula.

In some shopping centres, such as in **Emakhandeni**, gangs of youths removed burglar bars, then joined in the looting. Eyewitness reports of events at **Maunga** shopping centre note that:

After 10 am things began again on Tuesday. Maunga shopping centre was looted on Tuesday. I witnessed the local youths around the shopping centre trying to protect the shopping centre from looting. Youth came from Njube and Lobengula (the neighbouring



Old Pumula Pharmacy, burnt 14 January 2019



suburbs) in their hundreds and possibly thousands. **There was a battle for three and a half hours**, where the locals were throwing stones trying to protect the shops, and others were throwing stones to get to the shops to loot. The youths were local – round my place, they were trying to protect. I cannot say what they were politically, they were young men and women. They come from around – I knew some personally.... *Better Future (Emakhandeni)* was the first shop to be broken as they kept pushing each other in and out. They broke the burglar bars and for another few hours the locals kept them off, then it was a free-for-all. They were singing – “Siyangena” – “we are getting in” – the youth worked together chanting this and breaking in. They would sing this as they rocked on a burglar bar until they got it off. They then went to the second and third shops, then the butchery.

- In an account of the Magwegwe/Lobengula West looting, it was noted that the youths looting were from **neighbouring** suburbs, as opposed to being from that suburb, which seems to have been a pattern. However, the looters do not seem to have been aligned to any political party in particular, although in some instances were perceived by witnesses to be specifically **targeting ZANU PF** businesses.
- It was also reported that in some instances it was the same looters going from one store to another. This has been used to suggest there were specific ‘organised’ looters, or deployed agent provocateurs, which cannot be ruled out, but others interviewed say that these were simply opportunistic youth, who looted in one store, took goods home and then joined looting again in another store, in the spirit of anarchy that was prevailing.

Pictures of Mountain View Choppies, Lobengula West, taken by the authors on 26 January 2019.



Choppies, Mountain View, looted and burnt on 14 January 2019.

There were youths - from what the people were saying, they were from Ward 14 Lobengula. How can they come and destroy in our place? That's when the looting began. The police came twice, and the youth came back as soon as they left. [JN]

At night time (14th), the burning of Mountain View Choppies began. Choppies was burnt. There is also a grinding mill and hair salon and vegetable vendors nearby. The freedom fighters of Zipra actually own the shop there now. All the property was burnt to ashes, but it was completely looted first and was then burnt. The other shops were not destroyed. But the grinding mill cannot function as the power supply to it was via Mountain View, the same will be true of all shops there. So nothing can function there now. [JN]



Choppies, Mountain View, interior.

Sizinda shops were not looted, but people from Sizinda were looting shops in Tshabalala. They were crossing the road and looting elsewhere. They looted 'Machipiza' shop, and Chicken Corner, in Tshabalala. Someone died at Chicken Corner. He was trying to get into the shop to loot it, and the broken window glasses cut his veins and he bled out. The police were coming and everyone ran away and he died. Nobody could help him. [IN]

- Most businesses were targeted: however, in many accounts, there is at least one business that was not looted, for differing reasons. In Maunga shopping centre, for example:

*The main sports bar was not looted. The youths stood firm. **The owner was once a local there and is still seen as such.** He keeps the pots and cups and tents that are used for funerals and so this was steadfastly protected, as this is a resource really valued locally. The owner came later and he rewarded the youth with beer and they helped him move out stock. The whole rest of the shopping centre was looted.*

- Quite often, businesses that were perceived to be owned by a ‘local’, or to be ‘Ndebele’ owned, were not looted, while *those with Shona owners or tenants, or that were perceived to be linked to ZANU PF, were looted and vandalized*. Choppies was the most severely looted chain of shops, which is closely linked with ZANU PF. This method of protecting some and targeting others on what were basically tribal and political grounds was reported to the authors by multiple individuals across multiple suburbs.
- In Cowdray Park, looting was comprehensive. In addition to TM, Athens and TZ supermarkets were looted to the ground. The safe was removed from TM and was smashed open in the road and the money stolen. The local hardware shops were both looted, as was Hamara. One man who owned a surgery hired a large number of youth to protect it, and it was reported, but not confirmed, that a schoolboy was severely beaten by these ‘bodyguards’, fighting off would-be looters. This surgery was among the very few businesses ultimately not looted in Cowdray Park.
- The local butchery was also looted, and a message was left for the owner on an interior door:



“We don’t want nonsense here in Cowdray Park”

Discussions with residents have indicated that this message, or similar, was left for various shop owners around the western suburbs: these particular businesses were resented for charging in US\$ only, for perceived over-charging, or for being rude to locals who shopped there, indicating that *some of the looting was about the settling of very local scores and disputes*.

There was a lot of activity on the looting. It was people from Garikai - Dark City [this is an area of Cowdray Park referred to as the Dark City as there is no electricity there – many of these stands were allocated after Murambatsvina] they were the ones that were looting –

they were targeting ZANU PF people. I personally heard people saying – that house and that house is ZANU PF. I put on my t-shirt and cap and walked around looking like the others so I could hear what was going on. People were heading back towards the Dark City with what they looted, that’s how we know they were from there. They attacked houses around the terminus there – they said they needed to ‘deal with’ them. I saw them entering these properties.

It must be noted that it is the authors’ opinion in consultation with multiple eye witnesses, including but not only from civics, that the targeting of ZANU PF businesses at times by the mobs, does not seem to have been based on a general policy or instructions, for example from an opposition party: Bulawayo as a city dislikes ZANU PF, as is evidenced by election results. This response was local where it occurred, there is nothing to suggest any broader directive. The reference to memories of Gukurahundi has frequently been made in interviews in the last week, and the resentment and perception that ZANU PF business people own large swathes of Bulawayo would explain this desire to ‘revenge’ when the opportunity presented itself – even if this looting has been rather like cutting off one’s nose to spite one’s face....

An interview (29 January 2019) confirmed this impression that Choppies was targeted partly for political reasons.

Choppies always had large portraits of Mugabe and Grace hanging in their shops, they have long been seen as part of the state – when ordinary people want to be heard - obvious - they will target Choppies to send a message to government (MB).



Broken window, Emganwini

This same witness, who saw looters moving from one business to another in Nkulumane, including looting the Choppies there, commented:

People were saying, Christmas has come late, we could not celebrate Christmas because we could not afford, now we are celebrating. This thing was caused by poverty, people saw a chance to get what they cannot afford, they are starving (MB).

LACK OF STATE RESPONSE

- What is notable in almost all accounts of the looting, is **the lack of state response**. In the case of Maunga, where huge mobs of possibly more than a thousand youth fought running battles for hours, it was reported:

... there was no police, only the youth were trying to repel the looters. The police were phoned, they told the shop owner that they had bigger problems than this and the owner had to cry in the police station, with no help offered. It was only the local youth, there was no response from the state to help the youth.

- Other eyewitnesses recounted the comprehensive looting of the massive Choppies warehouse in Entumbane, which held reserve stock for all their shops in the western suburbs. The looting seemed to continue for more than 18 hours, unabated.

The looting began late on Monday afternoon and continued all night and until 11 am on Tuesday, with no police showing up to stop it, until the last packet of condoms had been looted.

- In some instances, such as “Cover” supermarket in Luveve, the owners saw the writing on the wall, and actually opened up their shops to looters, while begging them to please only loot, and not vandalize. In many shops every window was broken and both front and back doors smashed, along with destruction of all fridges and shelving, so the policy of opening up and hoping for the best was seen as the least bad option....
- It was also reported in Cowdray Park that a handful of police kept ever-growing crowds at bay for several hours on Monday, and then as evening approached and their capacity to control was clearly dwindling, the police told the crowd they could go ahead and loot, but please would they not burn the centre. The crowd looted, and did not burn.
- In Emganwini, where a handful of police stood by and watched the looting, apparently helpless to stop it, a shop owner tried to save his store.

The owner of the shop came with a fire arm and he shot five times into the air. The looters told him if he continued shooting, they would burn his car. So he stopped and left, and they looted.

- In Magwegwe:

*The whole shopping area was burnt and everything was taken – Mabodogo is the name of the centre. Absolutely everything was taken. On Tuesday – **somebody had a gun and was trying to scare people but it did not stop the looting**. People went into the store and started looting. The looters were mainly local. **Police never came** – when they were told what was happening and asked to respond, the police said **we are tired, this thing is not ending**. That’s what I saw myself. [MN]*



Emganwini supermarket looted and vandalized: 15 January



Honda Fit taxi burnt on 14 January, Bulawayo.

POLICE VIOLATIONS

- Many violations were observed associated with the use of tear gas and beatings on 14 January. Homes were deliberately tear gassed on no pretext, resulting in injuries to civilians and children.

...throwing tear gas in houses – that was bad – children were affected. We have not experienced this before, it was the first time. It was very, very traumatizing. Children are very terrified – the looters going by, the gunshots, tear gas – for the kids it is something else. [ND].

- Henry Dube, senior member of political party Mthwakazi had a tear gas canister thrown into his house, where his whole family was at the time, and when he threw it back onto the road, the police grabbed him and beat him very severely, resulting in 9 stitches to his head. His back was severely bruised and marked. The beating was in front of his highly traumatized children. He spent several days in hospital.
- Mehluli Nyoni was seriously wounded by a teargas canister in Nkulumane, when he entered a building where children had taken shelter during the looting of Sekusile Shopping Centre there. The building housed Choppies, which was being looted, and also a crèche above the shop. The mothers of the children begged for help in getting their children out as the looting and teargassing raged. A tear gas canister smashed through a window near Nyoni, who was badly cut by flying glass while trying to retrieve the children.



Henry Dube, beaten by Riot Police: photo by Cite.



Victims of police beating (above) and tear gas incident (below) – photos by Cite.



- In Lobengula West, while looting was taking place, a woman who could not prove she was local was teargassed.

There was a woman beaten up by the police close to my home, at the corner. I met the owner of the house, she had claimed that she stayed at that house but she was not known there. They threw tear gas at her. I was watching, I saw it myself. She was

just one woman and they tear gassed her. Tear gas has no boundaries and I became a victim of that. [JN]

- Riot police were also reported to be beating people on Monday during the looting, in some places, and two people were also **shot**. One victim was taken to Luveve clinic.

I know the nurse there, she told me the man was too injured – and he did not have a police clearance report, so they did not treat him, he was too badly injured to be treated there. The local youth cleared rocks for the ambulance to take him to Mpilo. In spite of the shooting, the complex was entirely looted, it is like a ruin. [DD].

...in Pumula they used dogs – a lot of people were taken away and were bitten by dogs. In Cowdray park they took away quite a number of people. They poured a beer over someone's head who was sitting and drinking it. [SN]

There were, judging by general accounts, many scores of other beatings on the first two days of the stay away, but many victims appeared not to seek health care, or to approach anyone for help or documentation. In some cases, those beaten did not consider themselves to have had injuries that required medical attention.

ARMY VIOLATIONS

From Wednesday morning 16th January, there was an increasing army presence in Bulawayo. Some areas, such as Sizinda, reported soldiers on Tuesday afternoon. In Emganwini:

On Wednesday morning I went to check how much damage was done. On Wednesday, there were soldiers all over, from the supermarket, everywhere. They were beating up just anyone found at the shops, and those people were also made to clean the shops using their bare hands, even though there was broken glass. The house behind our house, there is a house where the people who stay are thieves. They removed the seats from the kombi and put looted goods in it. They stole the generator from the shopping complex. The soldiers were directed, but went to the wrong house, the one next door, and turned it upside down. By the time the soldiers realised their mistake and were in the thieves' house, the thieves had put the generator outside the neighbour's gate, and run away. Nobody lives in that house where they put the generator. The soldiers from Wednesday, Thursday and Friday – the soldiers were everywhere. The generator was recovered. The soldiers also found computers and tills in one of the houses. The soldiers have been doing targeted house searches and are being told where to look by locals. People are giving information. Most people looted with their families – grannies, children, everyone. [KN]

It is illegal for soldiers to enter any private residence and conduct searches for stolen goods, yet this has been widely reported. This is also not the role of riot police. Only regular police, armed with a warrant can enter premises. **The widespread beatings of civilians reported during these exercises is of the deepest concern.**

After Tuesday 22nd these reports escalated: occurring a whole week after the original disturbances, at a time when calm was prevailing, there is no rationale for the presence of soldiers on the streets of suburbs, and no justification whatsoever for army brutality. It has not been possible to

quantify how many people were beaten, in particular in Mabutweni, which is close to where the policeman was stoned to death. At times, the death of the policeman was used by soldiers as justification for 'punishing' those who lived nearby to the incident.

The authors interviewed 4 individuals beaten by the army on 22nd January. Three were among those dragged out of Mabutweni homes on the night of the 22nd, who were forced to lie face down and were severely beaten, often while being constrained by other soldiers. Six days later, they all reported pain and bruising, and were walking with difficulty. One man was a kombi driver, who was pulled out of his taxi and beaten by soldiers for charging fares of \$1.50, instead of \$1.

It is noted that in some suburbs, the searches – **nonetheless illegal** – have been conducted politely and without beatings or damage to goods, such as this house to house search reported in Entumbane on Sunday 20th.

...one very big army truck and a police truck and two smaller Fords drove into Entumbane. They had a loudspeaker and they said – 'law enforcement is here, we want to go through all your houses – for your safety, go to your houses and take out what you looted and you will be left alone. Put looted goods in the road outside your gate. You have 30 mins, and then we are coming in.' They went door by door and searched. They came into the house where I was and opened the fridge. We had some groceries from SA. Luckily we could show that they were SA goods and not ones sold locally. They were about to go, and my dad drags them to search the bedroom too. He wanted them to be clear there were no looted goods anywhere in the house. They were very polite and did not damage anyone or any property.

Nobody would say who had looted. The army went in and out of all the houses, and somehow, they did not find even the looted TVs, sofas, fridges! – the army apparently did not find anything! We were told that on Monday the police and soldiers told the mobs that they could loot. Nobody put anything looted outside in the road, and the police and army did not hurt anyone. [SD]

POLICE AND ARMY COLLUSION WITH LOOTERS AND THE STAY AWAY

Many eye witnesses have reported that the police stood by and did nothing during the looting. Some perceived this as a result of being entirely outnumbered, with little option, and others that the police, who are battling to survive on small salaries, wanted the protests to send a strong message and were therefore actively encouraging protestors. In almost every shopping centre, there were reports of police and/or army joining in the looting, either actively looting for themselves, or being offered a share of loot from the other looters, which was invariably accepted. There were also a few reports of soldiers encouraging looting, and discouraging people from going back to work, or even beating people for defying the stay away. This suggests that some grassroots soldiers and police sympathized with the protests.

There were also reports that *police were under orders not to intervene* – although where such orders originated remains unclear. An interview recently with a senior ZANU PF person revealed that some in ZANU PF itself believe that the lack of state response can be explained by what happened on 1 August, when the army shot civilians protesting on the streets of Harare, which led to an inquiry. This person stated there was a reluctance by police in Bulawayo to respond with extreme force or to

send out appeals for the army to come in and deal with the looting: they did not want to find themselves having to explain later to an inquiry, why there had been excessive violence from the state. There is also resentment between the police and the other arms of the state, which date back to the coup of November 2017, when the police were humiliated by the army. Therefore, some police may have enjoyed seeing some kind of uprising against the state, and may also have been reluctant to appeal for army assistance.

These theories are conjectural, without any hard evidence. What is known, is that the most senior police officer in Bulawayo was removed and replaced soon after the stay away, which implies that her lack of response was not appreciated by the state. However, as with all complex situations, any reasons for the lack of state response, as well as the reasons for the almost immediate degeneration into anarchy, were multiple. It is however, the responsibility of the state to protect both persons and property, and to do so without undue harm. The state failed totally to protect property, and then used excessive force against innocent civilians, often days or more than a week after the vandalism had subsided.

In Emganwini:

There were only a few police: they stood to one side and watched the looting. They were offered some items from the shops, which they accepted. [KM]

In Entumbane:

Some youth looted at night and got drunk in the shop. In the morning, the police woke them up and told them to run away, then they looted themselves. [SN].

In Pumula:

The riot police were using hand movements, waving us into the stores, saying we should go in and loot, even while they were shooting in the air. [SN].

In Sizinda:

On Tuesday soldiers came, and said, 'do whatever you are doing, but don't hurt each other'. That gave people more licence to go and loot. It seemed to be sanctioned. [SS]

In Mpopoma:

*...but the soldiers had also been telling people to go and loot. The **soldiers** said they were on duty, but were also saying – '**protest, we are tired too**'. Some said they had no ammunition although they were carrying guns. The guns were simply to look scary, but had no bullets, according to the soldiers. [NN]*

In Nkulumane

Last night (21st) I was talking to the driver who has a kombi – the soldiers said 'go to your areas and don't come tomorrow, stay at home with your kombis.' Even today there are few kombis, because they were told to stay home. [BD]

In Nketa

On Thursday (17th) the soldiers stopped the minibus that my neighbour (a young woman) was on – it was from her employer, because the taxis were not running. They were all pulled off and beaten and the soldiers said, ‘Why are you people going to work? You are spoiling everything, you should stay home!’

VIOLATIONS BY THE ‘MOB’

The massive destruction and looting of property has already been outlined in this report. This was done by rioting crowds, and also by the most ordinary of citizens, including women and children, pushed to their financial limits and seizing an opportunity to gain some goods for free. There were strangely touching accounts of small children going into supermarkets and walking out with piles of exercise books for school, and of one old man saying that he was ‘collecting’ exercise books for his grandchildren. One woman announced to the eyewitness, almost apologetically, that she was taking sanitary towels only, as she could not afford them. Another striking observation is that in many instances, wrappers were ripped off food that was eaten *in situ*, suggesting real hunger.

However, the scale of the wanton vandalism, including burning stores to the ground, points to a terrifying level of anger on the ground, that was quite simply more or less out of control for two days in Bulawayo.



Looted goods eaten in the shop

The authors have consulted multiple witnesses, including several store owners who lost everything – **almost every person has concluded that the looting was not organized, and that those who stole were ‘hungry, angry people’.** ‘Being hungry’ in no way absolves those involved in the massive theft and destruction that has taken place. It also in no way can justify the scorched earth approach towards these businesses, that appear as if they have been bombed, the damage is so extensive. It is likely that in the current financial context, many of the vandalized businesses will never reopen, meaning loss of hundreds of jobs and loss of a convenient place to shop for tens of thousands of citizens.

- There were also accounts of serious injuries sustained by mob beatings.

I got information that a guy I know from Magwegwe was beaten at Mpopoma around Pata-pata area – he is a mechanic and was taking a kombi to the owner, he was fixing it – he was beaten by the omavala manning the ‘toll gates’. His eye was injured terribly and he has lost the eye, once he got to hospital they had to remove it. The same thugs pushed the kombi and rolled it and it was destroyed. [JM].

The authors have since interviewed this mechanic, who had a terrifying ordeal at the hands of the mobs, after which he had to walk in a shocked and very injured state, first to Mpilo hospital, where there were no doctors because of the stay away, then to Mater Dei hospital, 7km away, where he was not given any treatment (it is a private hospital). It was only the following morning, when he walked many more km to United Bulawayo Hospital that he received treatment, mainly the removal of his right eye.

THE ‘HAVES’ AND THE ‘HAVE NOTS’

During 14th and 15th January, when anarchy prevailed, many residents from the high density suburbs reflected their own fears at what was happening around them:

My class weighed heavily on me – I come from the area (in Entumbane) where the people around me are the ‘haves’ – we felt threatened by the ‘have nots’. I kept thinking, “What stops the looters from looting us across the road, if they can loot the shops?” These are class issues, I was not sure what will happen then. What I saw happening there, I thought, “it can happen to anyone, anything can happen.”

On the second day of looting, the looters began singing songs stating that they would next be looting the houses of their richer neighbours, and also crossing over to the ‘rich’ side of town to loot there. While the looting was stopped before this happened, it is a salutary reminder that the massive and growing gulf between the ‘haves’ and the ‘have nots’ is only worsening in Zimbabwe in the current economic climate. There is an urgent need to rescue the economy, that has never been more acutely felt. There is understandable desperation, anger and hunger on the streets.

BLANKET ARRESTS AND THE COURTS

Bulawayo has had the largest number of arrestees, estimated at over 500. Concerns have been raised over the dragnet approach to arresting many of those now being held in Khami Prison, who were perceived as somehow associated with other looters, but in the absence of real evidence.

Some were arrested on the strength of being found with groceries in their homes for which they had no receipts, but not having kept receipts is not open and closed evidence of theft. In the instance of computer monitors, scales, and other items that have been identified from looted shops, evidence is more conclusive. In some shops, CCTV footage has survived, which could be considered good evidence of who broke in and looted. Conditions under which prisoners are being kept is a matter of concern. Khami prison is ill-suited to coping with a sudden influx of 500 charged but not yet convicted persons. Yet bail is not being granted in most cases. Overcrowding and lack of food are being reported, and Khami is a huge distance from Bulawayo, making visits from families and lawyers difficult and costly.

It was reported in the first few days, that quite a number of individuals cut deals with the police and were released, and others have pleaded guilty and have received community service sentences rather than custodial sentences. This happened very early on, possibly before the directive to be hard on the accused. The same pattern of arrestees being fast tracked through the magistrate's courts has been observed at Tredgold and Western Commonage magistrate courts, as in front of other magistrates around the country. People are often being charged *en masse*, and without legal defence, as the numbers needing representation are so large.

According to Justice for Children, 19 juveniles have come before the courts in Bulawayo. Some were kept overnight in jail for at least one night, but were released into parental custody, for social welfare to investigate. So far, their trials have not taken place, pending reports from social services who are supposed to report on the home circumstances.

The sentences being meted out to those who have so far been sentenced have varied considerably, from hours of community service, to custodial sentences of up to five years. At the conclusion of one trial that the authors witnessed, a man was sentenced to five years in jail for what was really petty theft. The prosecutor acting on behalf of the state actually interjected when he heard of this sentence, and said to the accused – “your sentence is too high! Find a lawyer and appeal!”

The Judiciary Services Commission deployed an extra 10 senior magistrates to Bulawayo in the week of 18 February, to help with the huge backlog of cases at both magistrates' courts. They will be in Tredgold and Western Commonage for one month, to clear the cases. More prosecutors have also been deployed to Bulawayo.²⁹

According to the JSC acting secretary, by the 15 February, 114 accused people have been found not guilty, and 180 had been convicted countrywide, out of around a thousand in custody.

SOME THOUGHTS

The events in Bulawayo have left numerous questions unanswered. Why was the state so slow to respond in Bulawayo to the looting? Were the police simply caught unawares, anticipating trouble in Harare and not in Bulawayo, as has been the case in recent years? Was there a policy of turning a blind eye to the looting, even an order from within the police to not intervene? If so, what motivated this? Was it partly that the looting was condoned by the police and army, themselves civil servants battling to make ends meet and therefore sympathetic with those, who after all are their friends and

²⁹ Ncube, L. “Protest cases flood Bulawayo Courts...10 senior magistrate roped in to handle backlog.” *The Chronicle*, 18 February 2019.

neighbours, taking advantage of a moment to get food and other goods? There are multiple reports of the same police who were watching and not intervening during the day, coming back in civilian clothes at night and looting themselves. Was it concern at not wanting to end up implicated in violence against civilians, as has been put forward by one informant?

Finally, was it with the intent of destroying shopping centres in the high density suburbs to punish urban voters, knowing it would further impoverish Bulawayo and leave people with no easy way of getting groceries in the future? Linked to this, were there any disc cutting 'third force' men in cars that have been variously described as 'luxury car'/ kombi without number plates/Honda Fit/truck, who came and went without looting? While there is compelling evidence that at least a few businesses were cut open with cutting discs, particularly Pick n Pay at Cowdray Park, the likelihood of a well organised third force is considered unlikely for various reasons, but it has been mooted, and is therefore acknowledged here. The reasons it is considered unlikely include:

- The stay away was only called on Sunday, only took hold by 10 am on Monday, and looting began by noon on Monday. This would have left the state/opposition with very little time to instigate such a policy.
- There are now scores of eyewitness accounts that have been given to the authors, and almost all of them indicate locals and mobs breaking in, and that those who broke in also looted, and did not stand back and leave as the Third Force is supposed to have done.

The full, nuanced, truth behind what happened on 14th and 15th January 2019 is hard to establish. However, there is little to suggest that the violence was organised, as the state has repeatedly claimed. The state would be wise to consider the more likely truth that the citizens of Zimbabwe are hungry and angry, and that mobs of hungry, angry people can do great damage in short spaces of time. It is the responsibility of the state to urgently enter dialogue and to resolve the economic crisis that was certainly at the heart of the vandalism. The solution is not to deploy greater force and oppression, but to better the lives of Zimbabwe's citizens.



Youthful '*omavala*': Bulawayo, 14 January 2019 [News24].