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**THE STRUGGLES
AFTER
THE STRUGGLE**

Zimbabwean Philosophical Study, I

Edited by
David Kaulemu

The Council for Research in Values and Philosophy

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Table of Contents

Introduction	1
<i>David Kaulemu</i>	
Chapter I. In Search of Social Justice: Reconciliation and the Land Question in Zimbabwe	7
<i>Simon Mawondo</i>	
Chapter II. Religion and the Struggle for Peace in Zimbabwe	21
<i>Ezra Chitando</i>	
Chapter III. Running in Vicious Circles: Paradoxes of Struggles for Peace in Zimbabwe	33
<i>David Kaulemu</i>	
Chapter IV. The Quest for Unity, Peace and Stability in Zimbabwe	47
<i>Sobantu Sibanda</i>	
Chapter V. Reflections on Corporate Peace at the Dawn of the Free Market	61
<i>Jameson Kurasha</i>	
Chapter VI. Reconciliation: Why the Church Failed to Live with Itself in Zimbabwe	73
<i>Andrea T Chimuka</i>	
Chapter VII. Rethinking Wildlife Conservation in Zimbabwe	85
<i>Patrick Tom</i>	
Chapter VIII. Education at Cultural Crossroads: A Struggle for Meaningful Education in Zimbabwe	99
<i>Munyaradzi Madambi</i>	
Chapter IX. <i>Kugara Hunzwana</i> : Conceptions of Social Cohesion in an African Culture	111
<i>T.A. Chimuka</i>	
Chapter X. Beyond Contemporary Exclusivist Traditionalist Culture in Peace Building and Development	127
<i>David Kaulemu</i>	
Chapter XI. Could There Be a Completely Different Way of Living?	157
<i>Francis Chumachawazungu</i>	
Index	205

This book is dedicated to Simon Zvinaiye Mawondo, our friend and colleague who tragically died while struggling, like many other Zimbabweans, to fend for his family in teaching philosophy in Lesotho. This is a great loss to philosophy.

Introduction

Philosophy in Zimbabwe: Investigations and Reflections Of the Struggles after the Struggle

David Kaulemu

Philosophy is a product of individuals and communities eager to study and understand themselves, others and their environments. It is a product of rational human desire of individuals and communities to deal with internal and external threats and to find opportunities for their growth and happiness. Philosophy in Zimbabwe is not an exception in this search for knowledge and wisdom that will facilitate better lives and help create a better world of peace, justice and development. Its critical nature is informed at a number of important levels. Zimbabwe as a nation in the making is informed by different cultural traditions. Each one of these traditions is deeply philosophical in so far as it tries to explain, for its members, the meaning of life, birth, death and many other physical, social and political events and processes. Within each cultural tradition, there are many debates and unresolved issues. Yet there are also positive values, institutions and practices that ensure the survival and flourishing of each of its members and cultural groups as wholes. But when cultural traditions meet others in space and time, they have opportunities for comparing and contrasting with them. In many instances they identify their weaknesses and strengths more clearly. Hence processes of appropriation, mimicry, cataclysis and ambivalence are witnessed. Yet the same situation is known to enhance essentialist exclusivism, marginalization, binary oppositions and even wars and racial and tribal cleansing.

The meeting of several cultural traditions in the country called Zimbabwe, means that each tradition is forced to go beyond itself. More importantly, each culture is forced to work out how it can contribute positively to the common good in Zimbabwe and to the world at large. Thus the meeting of several cultures in one place at the same time is itself a deeply philosophy enhancing context, where very little can be taken for granted. Some unfortunately attempt to resolve philosophical questions “by other means” using power, violence and sometimes scarcely thought out fast-tracked laws. This is not the approach taken in this volume of essays written mostly by young people who come from different backgrounds and are keen to open up discussion on issues important to Zimbabwe and the building of a spirit of cooperation and solidarity.

Very few texts, if any, have been presented and published as Zimbabwean philosophy. The only book published as a Zimbabwean African Philosophy text, so far, is Professor Stanlake Samkange and

Tommie Marie Samkange's *Hunhuism/Ubuntuism: A Zimbabwe Indigenous Political Philosophy*, which was first published in 1980. Most other texts have been anthropological and historical explaining the views and beliefs of the different cultural groups in Zimbabwe. Most of these works have focused on the Shona and the Ndebele thereby limiting the cultural richness of Zimbabwe and cutting out potential philosophical debates on identity, citizenship, nationhood and the common good. There also has been little attempt to synthesize the different cultural traditions of Zimbabwe into some Zimbabwean culture. Neither has the debate on multi-culturalism in Zimbabwe started in earnest. The poverty of the philosophical debate on these issues has been reflected in the narrowness of our policy development informed by narrow political interests and the perpetuation of old parochial prejudices. A joke goes round in the country of how a prominent politician described the form of cultural unity desirable in Zimbabwe. He was to have said, "There is no more Shona nor Ndebele, neither Kalanga, Zezuru, Manyika nor Korekore. All of us are now Karanga!"

Since 1890 till today, different government authorities have found it difficult to break away from the *laager* mentality instituted by the colonial settlers and genuine fear of the Other, expressed by different African cultural traditions. Thus it has been difficult to embrace all the constituent communities of what we now call Zimbabwe into some larger cultural experience. This is one of the major struggles at hand. As Peter Marcuse (Quoted in Sandercock, L., 1998:165) points out, "we need walls that welcome and shelter, not walls that exclude and oppress." We need a Zimbabwe that welcomes and not one that excludes. Bourdillon's *The Shona Peoples* (1976) is frequently referred to as an authority on Shona culture. Michael Gelfand and Gordon Chavunduka have done some useful work on the traditional ideas of the Shona cultural groups, discussing concepts of health and healing. Terrence Ranger, Michael Bourdillon and Gordon Chavunduka have described Shona peoples in the context of modernity. The former is well known in raising issues on ethnicity. However, sustained, systematic philosophical critique of Shona ideas and traditions are few and far between. The first serious attempt is found in *Hunhuism/Ubuntuism* which tried to establish the foundation of Zimbabwean national culture in common aspects of Shona and Ndebele traditions. But the debate has not been pursued further. Other local cultural traditions are completely ignored by the Samkanges. The traditions of those Africans who came to Zimbabwe through migrations are assumed to be alien to Zimbabwe. *Hunhuism/Ubuntuism* does not even make an effort to relate what it identifies as Zimbabwean philosophy to the traditions of those Zimbabweans whose ancestors came from Europe and Asia. It is assumed that they are and will always be aliens. And yet this book is offered as the basis for building the new Zimbabwe.

It is the thesis of this book that Zimbabwe has an indigenous political philosophy which can best guide and

inspire thinking in this new era of Zimbabwe. This philosophy or ideology, the authors endeavour to show, exists and can be described as Hunhuism or Ubuntuism. (Samkange and Samkange, 1980:2)

Most texts offering serious discussion on some Shona and Ndebele cultural concepts do so in the context of Christianity. For example, the issue which is probed by Joseph Kumbirai in his “*Kurova Guva and Christianity*” has sparked some debate on inculturation, a topic of some great interest to Professor Paul Gundani and Fr. Chidavaenzi among others. However, serious philosophical debate on the nature and implications of traditional ideas of the different cultural groups making up Zimbabwe and how such ideas could influence contemporary society is yet to be understood. To be fair, there have been some television and radio programmes dedicated to discussing some of these issues. Claude Mararike’s *Nhaka Yedu* and *The Zimbabwean Ethos* are examples. However, the political nature of these programmes precluded genuine dialogue on many philosophically interesting issues. *Mai Chisamba Show* is entertaining and may even be educating, but its debates are neither systematic nor sustained. Thus philosophical discussion has been scanty. Part of the reason is in the history of the subject in the country. On the one hand, in colonial education African concepts were not considered worthy of philosophical discussion. On the other hand, those who advocated for African ideas discussed them as if there were no different meanings and interpretations of those ideas. Moreover, those who were politically inspired by nationalism had a monolithic concept of African culture which was detrimental to healthy philosophical discussions in African philosophy. For instance, the concept of Zimbabwe that is shared by many Zimbabweans is informed by what is described by Stan Mudenge in his book *A Political History of Munhumutapa c. 1400 to 1902* when he wrote that “The present Zimbabwe, therefore, is not merely a geographical expression created by imperialism during the nineteenth century. It is a reality that has existed for centuries, with a language, a culture and a “world view” of its own, representing the inner core of the Shona historical experience.” Mudenge’s concept of Zimbabwe which is based on the “inner core of the Shona experience” is even narrower than that of the Samkanges’. The debate on such issues as modern African identities could have benefited more from a rigorous philosophical debate on traditional ideas and their implications. These debates were indeed rife within African traditional societies. Yet contemporary traditionalists have largely killed them. It is hoped that such debate will be pursued in oral debates as well as in writing.

However, the present volume does not take up this debate. It grapples with contemporary issues in Zimbabwe. Now that Zimbabwe has been politically independent for at least two decades, what concept of Zimbabwe could facilitate the growth and development of the nation and at

the same time help to build peace among the different peoples who find themselves as part of the Zimbabwean legacy?

The present volume presents what Leonard Harris, the African American Philosopher, calls, "Philosophy born out of struggle". In this volume, Zimbabwean philosophers are reporting their interpretations of the local struggles in the context of rural and urban poverty, demands for participatory democracy, the role of Christian Churches in the context of African traditional religions, the free market age, corruption, the desire for peace and social development. What they call "the struggle" is the fight against colonial rule which was wedged since 1890 when the British Pioneer Column arrived in the area between the Limpopo and Zambezi Rivers. This first uprising was in many ways defeated, yet the struggle did not end. In the sixties, the struggle intensified until the attainment of independence in 1980. The papers in this volume argue that the end of the violent liberation struggle in 1980 is not the end of the struggle. Each one of the papers identifies and discusses some struggle which Zimbabweans have been engaged in since 1980. The struggles after the struggle are varied yet connected to each other in so far as they are all attempts to facilitate the growth and flourishing of Zimbabweans as they work to participate and to contribute to the globalizing world. Simon Mawondo grapples with the issue of social justice and how it could apply to the land issue in Zimbabwe. Of particular concern for him, is to find a way of implementing the demands of justice without undermining the need for reconciling Zimbabweans. Ezra Chitando discusses how religion in Zimbabwe could play its part in building a better and peaceful society. He, however, is not unaware of the negative role religion has played in the past. Andrea Chimuka in his first article in the book picks up the debate on the negative role of religion in Zimbabwe, focusing on Christian churches. David Kaulemu, in his first article, pursues the discussion of why it has been difficult to establish a truly peaceful Zimbabwe. In many ways this volume is about the search for peace for which many of the authors demonstrate a deep concern. Sobantu Sibanda discusses the issue in the context of "the Ndebele" and Shona relations. Jameson Kurasha is concerned with corporate peace, not only in Zimbabwe but in the world at large. Patrick Tom looks at how we could establish peace with the environment and Munyaradzi Madambi looks at how we can go beyond colonial education to establish, through education, positive views about ourselves. David Kaulemu, in his second article in the volume looks at how peace and development could be established once traditionalist exclusivism is dealt with in Zimbabwe. Chimuka, in his second essays begins to identify Shona concepts that could be used to go beyond negative exclusivism. Francis Chumachawazungu takes up the same theme of how humans can deal with each other as humans. While he is confident that a new way of living is coming into being, he points out that a lot of work still needs to be done. But for him, hope is the key as he expresses the spirit that inspired the support group in the production of the present volume, "I hope to contribute

to the tradition of ‘hope talk’. Let us disagree, reflect, and criticize without demonizing and always never losing sight of hope.”

Almost all the studies in this volume are a result of thinking-in-community or thinking-with-others. They are a result of a carefully structured process in which members were encouraged to develop their ideas with the help of, and in support of, others. The resultant papers were presented and discussed as drafts, at least twice each, at deliberately structured seminars of what we called “The Philosophy Support Group” organized by some members of the Department of Religious Studies, Classics and Philosophy at the University of Zimbabwe. The Philosophy Support Group was an informal voluntary group with no formal status in the University of Zimbabwe.

The idea was encouraged by David Kaulemu, who attended similarly organized seminars at The Council for Research in Values and Philosophy in Washington DC, and admired the thinking-with-others approach used by Professor George F. McLean. Professor McLean himself attended the culminating conference, which was held at the University of Zimbabwe, at which most of the revised drafts of the papers in this volume were presented. In many ways, this approach allowed the group of presenters, and those who could not produce papers, to search, develop and clarify for themselves the very things they were searching for at the national level.

It is not exaggerating to say that the project of developing this volume is probably more important than its result. Our thoughts and political orientations were all very different. Discussions of issues were really animated. And yet we all learnt the difficult processes of how to develop a truly national sense and began to go beyond received prejudices and exclusivism. We disagreed with each other and yet continued to develop appreciation of each other. It was wonderful to see people who had different view points helping to sharpen each other’s points of view. It would be wonderful if the kind of social solidarity and respect for each other which we began to develop were to be reflected on the national level. We regret that some sections of our community were not represented in our group. This should be work for the future.

Chapter I

In Search of Social Justice: Reconciliation and the Land Question in Zimbabwe

Simon Mawondo

The concept of reconciliation has been appealed to by many countries which have tried to move from a situation of civil war to peace. Zimbabwe is no exception. Robert Mugabe, the man who led the liberation movements at independence appealed to the concept of reconciliation in an effort to rebuild the newly independent Zimbabwe. However, this reconciliation was called for even before the basic injustices, that had caused the civil war in the first place, had been fully addressed. This article assesses the usefulness of the concept of reconciliation in the context of Zimbabwe's political independence since 1980.

THE LAND QUESTION AND THE LIBERATION STRUGGLE

A deep sense of injustice caused by the inequalities and deliberate dispossession of Africans by the White settler regimes was amongst the fundamental causes of the liberation struggle in Zimbabwe. Top amongst the list of grievances was the massive alienation of the African people from the land, which formed the basis for their livelihood. The process of dispossession was legitimated by a series of pieces of legislation, which sought to entrench white privileges and to bring the Africans under colonial control. In this process Africans were denied rights to own land in the most agriculturally productive parts of the country. In addition to this, Africans were also denied training for skilled labour. The cumulative effect of these pieces of legislation was to make Africans serve the settlers by providing manual labour on white commercial farms, in industry, in the mines and in the domestic realm. Due to the fact that Africans were denied political rights the colonial system reduced them to subjects in a country they considered their own. Those Africans who were previously in power in the different African polities, were considered outsiders to the newly established white dominated power structures unless they paid tribute to it.

The fact that the land question was the root cause of Zimbabwe's war of liberation is widely acknowledged. Josiah Tungamirai, one of the top leaders of Zimbabwe African National Liberation Army (ZANLA) makes this point when he says "The unequal distribution of land was the main reason why the African people fought the settler regime." (1995:37). Africans felt that the land was rightly theirs and it was a matter of justice that they fought to regain their lost heritage. Invoking John Locke's

argument that conquest does not found any property rights may vindicate indeed such a view. The fact that Locke holds such a view is particularly important because of his defense of private property.

The foregoing considerations help to highlight the fact that the struggle for independence was not just about political freedom and the right to vote, as the popularized slogan “*one man one vote*” may seem to have suggested. The struggle for independence must be seen as an exercise of the right of the descendants of those whose rights had been violated by conquest. Such descendants, Locke argues, have a right to revolt and regain title to their heritage. In making this point Locke argues as follows;

the People who are the Descendants of, or claim under those, who were forced to submit to the Yoke of Government by constraint, have always a Right to shake it off, and to free themselves from Usurpation or Tyranny, which the Sword hath brought in upon them, till their Rulers put them under such a Frame of Government, as they willingly, and of choice consent to. (Locke, 1994:394)

In the case of Zimbabwe and many other African countries, colonial rule was essentially based on conquest. The 1893 and 1896-1897 wars in Zimbabwe bear testimony to African resistance to colonial rule. However, it should be noted that Locke, the acclaimed founder of liberalism had argued that...”conquest is as far from setting up any Government, as demolishing an House is from building a new one in the place.” (1994:385) Politically, the act of conquest and the setting up of the colonial administration deprived Africans of the right to set up their own government. The colonial government reduced them to subjects. Economically, Africans were made manual labourers dependent on subsistence wages. The colonial set up was thus characterised by black labour on white owned farms, firms, and mines. This reality has not changed that much since independence and this is why it is crucial to question the efficacy of the reconciliation policy in bringing justice and peace to Zimbabwe. Is it possible for there to be genuine reconciliation when the fundamental injustices of the colonial past have not been addressed? Doesn't the perpetuation of the pre-independence property ownership structures and their protection by the law amount to recognition of and protection of the very injustices the liberation struggle sought to defeat? These are important questions, and any meaningful understanding of justice and reconciliation in this context must be able to deal with these issues. This paper hopes to make a contribution towards that end.

1980: THE PROCLAMATION OF THE RECONCILIATION POLICY

At independence in 1980, most Africans expected that the injustices of the past would be redressed. However, Robert Mugabe, then Prime minister elect told the nation on independence eve;

We are called to be constructive, progressive and forever forward-looking, For we cannot afford to be men of yesterday, backward looking, retrogressive And destructive.... If yesterday I fought you as an enemy, today you have become a friend and ally with the same national interest, loyalty, rights and duties as myself. If yesterday you hated me, today you cannot avoid the love that binds you to me and me to you. Is it not folly, therefore, that in these circumstances anybody should seek to revive the wounds and grievances of the past? The wrongs of the past must now stand forgiven and forgotten... (De Waal, 1990: 48-9)

In the name and spirit of reconciliation and forgiveness, all the grievances of the past were supposed to be forgotten. Consequently the inequalities and the landlessness, which characterised black Zimbabwean existence before independence, were to be forgotten. The vast majority of Zimbabweans today still remain poor and landless. They still stay in Gwai, Shangani and all those other marginal lands allocated to them by the successive settler regimes. Meanwhile the small group that benefited through colonialism has continued to hold on to the land. Legally they are protected in their possession. As a result the reality of black labour on white farms has continued to be a fact of life in Zimbabwe.

Statement of the Problem

According to Jeremy Waldron, "It is a well-known characteristic of great injustice that those who suffer it go to their deaths with the conviction that these must not be forgotten." (1992:5) Amongst the reasons why these injustices are recounted over and over again down the generations is the fact that this act of recollection and telling the story becomes an important aspect of the victims' identity. For that reason, to neglect the historical record is to do violence to the identity and thus to the community that sustains it." (Waldron, 1992:6) Neglecting the fact that black poverty in Zimbabwe is to a large extent due to concrete historical acts of deliberate dispossession is thus a continued act of violence against them, hence an injustice. Whilst the mere fact of poverty is not necessarily indicative of the existence of injustice, the existence of poverty due to deliberate acts of dispossession and marginalisation is evidence of injustice.

As we have noted above, Zimbabweans were told to forgive past wrongs and seek reconciliation. We have also made the point that massive dispossession was the fundamental cause of the liberation struggle. The question that must be raised is: what did the ordinary Zimbabweans gain at independence? Being told not to revive the wounds and the grievances of the past, to forgive and be reconciled, what exactly was this meant to imply?

If we accept that the pre-independence dispossession was an injustice, can we assume that we could have reconciliation and forgiveness without addressing the said injustice? As many African countries struggle to come to terms with their various pasts this question has become central. Several responses or models seem to be taking shape. In Zimbabwe, Namibia and South Africa we seem to have a model of *reconciliation without justice*.

A different model seems to be held in Rwanda after the 1994 genocide. There, the assumption appears to be that we cannot have reconciliation without justice. These different models raise a number of questions. Amongst the most important questions are, just what is reconciliation; how is reconciliation linked to truth, forgiveness, and justice? Another question is, why is reconciliation so important? These are obviously pressing questions which I cannot pretend to address fully. An adequate understanding of reconciliation, however, seems to require that we analyze the issues raised in these questions. I shall attempt to define reconciliation and explore its relation to forgiveness and justice. The argument to be presented here is that in the Zimbabwean example there was a search neither for truth nor for justice. Given the political context of the Lancaster House Constitution, the enunciation of the reconciliation policy simply signaled ZANU's desire to make that constitution work. For this reason it will be maintained that the continued injustice is not to be understood by merely looking at events internal to Zimbabwe. Just as it was true in the run-up to the Lancaster House Constitution, it is still a fact that Zimbabwe's land question is not just hers to solve on her own. External interests have continued to determine how this problem is addressed.

WHAT IS RECONCILIATION?

Reconciliation has become more like a buzzword around the world in places where conflict resolution is in progress. This is perhaps natural in the sense that "before any serious nation building can be undertaken people need to come to terms with their past." Getting along together as friends when yesterday they were fighting is no mean task. However, if future conflict is to be avoided and the wounds and grievances of the past are to be healed it appears imperative that the ugly stories of the past are told. We have already noted that victims of past injustices often go to their graves with the feeling that their suffering must not be forgotten. What is therefore important is that such acts of recollection be a basis for reconstruction and

the healing process, and not a basis for revenge. Reconciliation as a process tries to create an environment conducive to that reconstruction and healing.

Reconciliation can be regarded as a process that re-establishes love and understanding between two or more estranged parties. According to Wiredu, what is central to the process of reconciliation is the re-appraisal of the importance and significance of the initial bones of contention (Wiredu, 1996:181-82). In this regard it may be said that, instead of trying to avoid the causes of the conflict; reconciliation requires that all the parties to the conflict must present their demands and that any proposed settlement should take into account these various demands.

Reconciliation presupposes estrangement, enmity or conflict. Its objective is to overcome this conflict so that there can be harmony. Because it entails that the bones of contention be re-appraised, reconciliation cannot be unilateral. As Walter Wink points out, "reconciliation is always mutual". It requires that I and the other person from whom I have been estranged by enmity mutually forgive each other and walk together into a common future (Wink, 1998:14).

The search for reconciliation must therefore always try to understand the reasons for the conflict. In other words it must ask why the antagonists were fighting. If this view is accepted it becomes clear that the Zimbabwe's prime-minister elect's call to simply forgive and forget past wrongs could not really have been a solid ground for genuine reconciliation. This is because it did not address the bones of contention between blacks and whites. Events in the country twenty years after independence seem to demonstrate this point, as the president accuses white Zimbabweans of spurning the hand of reconciliation he offered them when he was the prime-minister at independence. The act of recollection by the victims of colonial injustice has become a portent source of conflict. Walter Wink aptly warns about this when he observes that "...unresolved hatreds can lead to acts of revenge by those newly empowered" (Wink, 1998:13). This is due to the fact that under such circumstances the act of recollection tends to open old wounds. As such the unresolved hatreds can easily seep into society like a poison and cause turmoil. What is peculiar about Zimbabwe's policy of reconciliation is that it was a gesture made by the newly empowered to those who had just lost their place of dominance. It is as if the Africans are asking to be forgiven for fighting to oust the settler regime. The mutuality, which Wink takes to be essential to reconciliation, was not in any way evident. This reality, combined with the piecemeal resolution of the land question brings the whole reconciliation policy into question. Is it possible or even meaningful to forgive someone who has neither admitted that they benefited from colonial injustice nor asked for forgiveness? The crucial point that must be appreciated is that unless there is an acknowledgement of wrongdoing forgiveness makes no sense. However, in the Zimbabwean context the fact that the victims of injustice are ready to forgive should be taken as a good thing. This is due to the fact that it must be realized that such victims could not be so ready to let

bygones be bygones. In other words it is possible that they could refuse to forgive those who transgressed against them. That they are willing should therefore be a basis for reconciliation.

Far from requiring that past wrongs be forgotten, reconciliation and even forgiveness requires that we actually face these wrongs. Facing them in this case creates the possibility of redress and the symbolic handshake that says we can now put the past behind us. In the world over, such gestures have been hailed as avenues for mending broken bridges. Examples often quoted in this regard include the German acknowledgement of its Nazi past and its payment of reparations to Jews; Japan's admission of wrongdoing in its treatment of its Asian neighbors during World War II, and America's admission of maltreating its citizens of Japanese descent in World War II. In the Zimbabwean case no apologies were made and neither have symbolic handshakes been exchanged. The story that blacks were victims of white domination continues to be told, even by the current president in some of his political rallies. How many times have poor Zimbabwean peasants invaded commercial farms and claimed that these farms belonged to their ancestors? This surely suggests that people have not forgotten or forgiven.

Sam Moyo has also expressed the preceding sentiments. Discussing the salient role of the land question to Zimbabwean race relations he makes the important observation that,

A reasonable climate for white-black reconciliation can only be achieved through a more balanced redressing of the variety of land demands in Zimbabwe, in a manner which is transparent, equitable and focused on the productive use of land for agro-industrial and development purposes ... (Moyo, 1995:11)

Two issues that merit close attentions in this case are the need to "redress" past injustices and the need equitably to consider the variety of land demands. This at once brings out the fact that unless the underlying causes of the war of liberation are brought to the fore and squarely faced in the process of creating a new future, reconciliation cannot take place. To the extent that Zimbabwe's reconciliation policy did not seek to redress past injustices and to bring the causes of conflict into the open, it falls short of genuine reconciliation.

One very important reason why we must not simply forget the past is that going back to the past is not just an act of memory. We have made the point that the feeling of having been unjustly treated forms an integral part of the identity of those who suffer it. What also needs to be realized is such acts of recollection are never innocent. This means that what is remembered and for what purpose is always significant to understanding who we are. We form ideas of who we are in the light of what we think we were in the past, but also in terms of what we want to become.

When we recollect our common past of injustice, both the transgressors and the victims should have an opportunity to construct a shared view of that past. This is what the idea of dialogue seems to entail. For that reason remembering the past together will help us to learn from the past mistakes that were made. Reflecting on the importance of confronting past injustices Waldron asks the salient question, “What is the practical importance now of a judgment that an injustice occurred in the past?” (Waldron,1992:4) The fundamental point is that remembering the past ought to have practical relevance now and for the future. Precisely because who we are and how we perceive ourselves and how we relate to others is partly shaped by events in the past, the past in that sense is part of the present. As we have noted, the majority of black Zimbabweans are poor and landless as a direct result of the colonial legacy. For this reason it is unacceptable to simply say the past is a done deal which we cannot change. The future depends on how the past injustices are resolved. One reason why Zimbabwe’s reconciliation policy is not genuine is that “in concrete terms it prevented an assault on inequality in wealth and income.”

The Lancaster House agreement, which formally gave independence to Zimbabwe, sought to protect the right to private property in the true liberal sense. Whilst the right to private property may not necessarily be a bad thing the private property protected by the independence constitution were those that existed in 1979. This means the new constitution simply entrenched and protected the status-quo whilst at the same time giving it an appearance of legitimacy. Amongst the most important privilege thus protected by the constitution was the right to land, which as we saw earlier was the fundamental cause of the war for independence. No compromise was struck and for that reason the grievances of the majority remained unresolved. Given this scenario the question therefore arises; what had the majority gained? In advocating the reconciliation policy were the demands of the blacks to regain what they considered their land given a hearing? Commenting on a similar development in Namibia, Dona Pankhurst quotes Tapscott who thinks that to the majority of Namibians reconciliation is

...seen to be entrenching the status quo by protecting the pre-independence gains of the minority and by legitimizing patterns of social differentiation that had existed in the colonial era. (Pankhurst, 1995:557)

The point being made here is that the same thing happened in Zimbabwe. Numerous peasant invasions of commercial farms (e.g. the Svosve people’s invasions of 1998) bear testimony to the fact that the majority never really quit resenting the fact of their dispossession. This as we have been saying is due to the fact that “the independence struggle and commitment to the war were fundamentally fuelled by promises to restore the land rights of the majority.” (Moyo,1995:8) The fact that the powerful

minority did not want to give up their ill-gotten privileges made it impossible for reconciliation to be mutual. Without both sides coming together and willingness to make concessions it is difficult to see how reconciliation could become a reality.

In the light of the Zimbabwean situation an important question may actually be raised about the need for a reconciliation policy. Given that the war of liberation was fought to liberate 'our' land why should we be so keen on reconciliation? Put in other words the question is, who really stands to benefit from the policy? As things stand, the policy has really benefited descendents of the settlers more than those of their victims. This is the same in the Namibian context where Pankhurst makes the point that the majority see the policy as a means of entrenching the status quo. If one thinks of the liberation war as aimed at getting back what belonged to us, pursuit of this policy on the attainment of independence may be seen as uncalled for. However, given that the liberators want to take the settlers as citizens, the issue becomes significant. By recognizing them as citizens they become entitled to the same rights as all citizens. For that reason it becomes imperative that the past injustices be resolved with an eye to the future. In this regard we may consider reconciliation as trying to bridge the gap between justice as restoration and forgiveness.

Forgiveness seems to overlook justice. However, trying to await perfect justice would also be an illusion. It will be an illusion because so many economic, demographic, and political changes have occurred. Some who possess the land did not inherit it from conqueror ancestors, but bought it. Besides this it is also impossible to give land to all black Zimbabweans who need it. This makes the attainment of complete justice as restoration impossible. Under these circumstances the policy of reconciliation should be seen as an expedient or pragmatic way of moving ahead in a way that attempts to be fair to all.

RECONCILIATION AND THE SEARCH FOR JUSTICE

As we have noted above, different models of reconciliation seem to be at play on the African continent. Referring to the great lakes region Rene Lemarchand notes that "There cannot be reconciliation between Hutu and Tutsi without justice, and no justice without truth." (1998:3) Such a claim raises the important question, what is the relation between the key concepts here? In other words, just what is the relation between reconciliation and justice, justice and truth, truth and reconciliation? Is it possible to have one of these things without the other two? Can there be reconciliation without justice and truth? Assuming that these processes are not inter-linked and co-determining, meaning that they are independent of each other, which of them is most important? Whilst these are obviously important questions I cannot fully address them all. The question of primary interest here is the relation between justice and reconciliation.

Before attempting to address the question of how justice and reconciliation are interrelated it is important to make the point that justice is a contested concept. That means there are different interpretations of what it is and what it requires. People with different ideological orientations understand it differently and those with different interests to protect will tend to have conflicting conceptions of what it entails. The predominant view in this paper is that of those who consider themselves victims of colonial injustice. For that reason justice is going to be largely treated as righting the wrongs of the past and paying reparations to those, who as a result of those past injustices, find themselves disadvantaged in the present.

Justice may amongst many other senses be defined as giving to each his/her due. The basis of what is due to an individual may vary. It can be need, work, equal consideration etc. Central to this understanding is the presupposition that in some way people's dues can be determined. Theories of private property, such as Locke's are in their own way attempts to address this issue. As we noted at the beginning of this paper, a deep sense of injustice is what motivated the liberation struggle in Zimbabwe. The colonial process and the massive dispossession of land cited earlier robbed the people of Zimbabwe of what they considered their legitimate birthright. Part of the reason why the colonial system was unjust was that it was founded on a violation of the indigenous people's claim to ownership of the land and other resources.

Viewed from the conception of justice as giving to each his/her due it becomes apparent that if reconciliation is to be a reality such dispossession ought to be addressed. What is paramount on this view is that justice seeks to restore balance. In this sense restorative justice becomes a necessary precondition for reconciliation. This implies that we have at least to attempt to approximate the situation that would have evolved if the dispossession had not taken place. Such an exercise is obviously difficult, but this should not be used as an excuse to maintain the present situation.

It is important to appreciate the fact that for restorative justice to be fully effective we also need to do two things. Firstly, it is important that those who violated the rights of others should admit that such violations took place. We have already come across this point when we made reference to the examples of how recognition of past wrongs has helped mend relations in some countries or between them. The important lesson that these examples teach us is that, unless there is acknowledgement of wrongdoing, forgiveness does not make any sense at all. The second thing that seems indispensable to the process of restorative justice is that both sides of the story must be told. In other words, unless we make a genuine effort to know who did what to whom it is impossible to know who benefits from the restoration and from whom the restored dues are to be taken.

If the preceding reflections are accepted it becomes clear that there is an inextricable relation between restorative justice and truth. We cannot have restorative justice unless the truth is known. From this it can be concluded that truth is a necessary condition for restorative justice. If

therefore restorative justice is a necessary pre-condition for reconciliation we are led to the conclusion that truth is by implication also logically necessary to reconciliation.

From the reflections above it becomes clear that the Zimbabwean model of reconciliation falls short of the line of thinking developed up to this point. The insistence on justice without truth is also unlikely to produce genuine reconciliation. Rene Lemarchand is perfectly right to argue, in the context of the Great Lakes Region, that unless the truth about the history of genocide is uncovered what might appear as justice may actually be revenge. The cycles of violence of one group against the other ought to be revealed and then people can realize the futility of telling half the story. Crucial to the process is the fact that there has to be mutual face-to-face exchange, something that is indispensable to reconciliation.

In the Zimbabwean instance we did not have any attempt to tell the story of who did what to whom, and there was no attempt to redress the injustices of the past. That means we had neither truth nor restorative justice. What is more we did not even have a situation where the victims of the colonial dispossession and the beneficiaries discussed their differences. Those who benefited from colonial dispossession seem to believe that their good fortune is due to the virtues of their race or to their hard work. For this reason they have not seen fit to offer any apologies for the humiliation and impoverishment of blacks in the country. The effects of that past injustice are still being felt to this day. It is one of the characteristics of great injustice that its effects continue to affect people long after the injustice has been legally removed. Some people still suffer from an inferiority complex. Apart from this the colonial ways of referring to blacks as “boy” have now become accepted –we call ourselves “*maboy*”. Even though the pejorative connotations may not be there very few people bother to reflect on where this concept is coming from and what it implies.

Justice thus far has been considered as restorative or retributive. In this sense it is backward looking. However there is also an important sense in which justice is forward looking. This aspect is also very important to the reconciliation process. Fundamental to this sense of justice is how goods, services and burdens should be shared by people belonging to the same community. Viewing justice in this particular way is important for reconciliation because it recognizes the fact that even though segments of the community might have clashed in the past they have to live together. This is what reconciliation is ultimately concerned with, that is, how people who shared hostilities are able to transcend these hostilities and live together in harmony. Hope that former adversaries can share the same living space and resources, is the backbone of any meaningful reconciliation process. Summing up this kind of thinking Shriver quotes Rodney King, the victim of the police brutality that sparked the 1992 riots in Los Angeles, making the point that “we are stuck here for a while.” (Shriver, 1995:3) Due to this fact that we are here together we have to work it out.

Living together with former enemies can only be a reality if forgiveness and reconciliation are genuinely realized. If this forgiveness and reconciliation have not been found, lasting peace will remain elusive. This I think helps explain why reconciliation has become a buzzword in the troubled spots around the world. Where there is conflict the search for peace must therefore include the attempt to bring about reconciliation.

There is also another sense of justice that seems to be linked to the possibility of reconciliation. This is distributive justice. Justice in this sense looks at the distribution of goods and services in a given community. Unlike retributive justice which is backward looking, distributive justice is forward looking. The fundamental idea that needs to be appreciated is that distributive justice entails finding ways of resolving conflicting demands on goods and services. Such conflicting demands and the search for resolution generally derive from the moderate scarcity of the available goods. In this context justice demands that each individual's claims or demands be given equal consideration. This is part of what the idea of equality of persons implies. No single individual or group of people has morally prior claim to these goods and services. Land in our situation is the basis for the majority's livelihood, and it is obviously a limited resource. For that reason, apart from the injustice of colonial acts of dispossession, it must be noted that vast inequalities in access to land under such circumstances is in itself unjust. It is unjust for the reason that it denies the poor the means to meet their basic needs, like food and shelter whilst those who possess it allow the land to lay underutilized or unutilized as has been the case in Zimbabwe.

Recognizing the existence of past injustice and its effects on the present raises the question of what should be done about it. How to achieve a just society from the ashes of an unjust colonial system remains one of the struggles that post-colonial societies like Zimbabwe must face. Such a society must seek ways to transcend the conflicting claims to resources and to create a sense of common citizenship between former foes.

Justice as the resolution of conflicting demands and reconciliation seem to have something in common. They both require that all the demands be given a fair hearing. None of the demands or parties to the conflict should be taken as superior. Justice properly understood and reconciliation seems to lie in the ability to transcend the particularistic demands of the contending parties. Whilst the solution may not be absolutist or even universally accepted, all parties must accept it as fair. Only in this way can the solution be a basis for building a common future.

By excluding the majority's demands for land whilst protecting white possession of that land, the Zimbabwean independence constitution was thus unjust. It did not treat blacks and whites equally.

CONCLUSION

It has been noted that victims of great injustices tend to remember and re-live these injustices for a long time. They seem to remember their

suffering much longer than the perpetrators of the injustice. For this reason in many societies unresolved hatred and the desire for revenge tends to lie underneath the façade of peace and harmony. From time to time these pent up emotions burst out in violent conflict which may in turn create new scars. Societies that have sections of their populations divided by this sense of injustice need to go through a reconciliation process so that they will minimize the dangers of future conflict. This entails that the ugly stories of what happened must be recounted by both victims and aggressors in a process in which both participate. Both sides of what took place must be told.

When both sides to a conflict tell their sides of what took place we are likely to get closer to the truth. This is where truth and reconciliation are inter-linked. Because acknowledging the existence of past wrongs or injustices has implications for what we do now and in the future, such acknowledgement creates the need for justice. This is particularly so when the effects of the past wrongs still have a clear influence on the present. As we have noted, justice entails the resolution of conflicting claims. In this context the claims of the different communities to land in Zimbabwe ought to be considered seriously. From this process the possibility for reconciliation is created. An important assumption that has been made is that both blacks and whites are Zimbabweans and they want to live together in peace. As Rodney King is quoted as saying after the Los Angeles riots, "...we're all stuck here for a while. Let's try to work it out." (Shriver, 1995:3) Trying to work things out is what both justice and reconciliation seem to entail and none of them seems to make sense unless there is a willingness to stay together as one community and hope that this is possible. Justice and reconciliation must not be seen as some fixed points in the political landscape, but as continuous processes that help us deal with new demands and new conflicts.

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