

Sham elections in Swaziland

What labour movement says

Recent elections in Swaziland were not about bringing democracy to the people by dismantling the *Tinkundla* system, but simply maintained the existing oppression. For this reason the mass democratic movement's struggle intensifies, writes **Fundizwi Sikhondze**.

The elections in Swaziland have come and gone without any major incidents and many players have made their opinions known about them. These opinions vary from full support, reluctant support and total rejection of the elections and the results that have been produced by this process. This article seeks to discuss the stance taken by the mass democratic movement in particular the stance of workers organised by the Trade Union Congress of Swaziland (Tucoswa).

Section 79 of the Constitution of Swaziland describes the system of governance in the country as 'a democratic, participatory, *tinkbundla*-based system which emphasizes devolution of state power from central government to *tinkhundla* areas and individual merit as a basis for election or appointment to public office'. The safest definition of *inkbundla* (singular for *tinkbundla*) is a place of congregation of the community. There are 55 *tinkbundla* centres around the country which means the people's vote produces 55 members of parliament (MPs) from this *tinkbundla*. The king then is required to elect 10 more MPs to the house of assembly to make a total of 65.

The house of senate has a total of 30 members where 10 are elected by the members of the assembly and 20 are appointed by the king in his wisdom. A joint sitting of parliament therefore would have a little more than 95 individuals, but there is also a provision to add the appointed MPs to balance gender. Usually a majority of ministers come from the appointed members of parliament in both houses, and with the two-thirds majority the king controls the parliament of the country.

The installation of the executive is also left to the wisdom of the king using his wise discretion and completely de-linked to the process of election of the members of parliament by the people. Usually this is done with an announcement over the radio for the nation to converge at the royal household called Ludzidzini in Lobamba whereupon the king addresses the nation and announces the chosen man to lead the government in the next term. This person has, since independence, always been a member of the Dlamini clan, which is the clan name of the royal family of Swaziland.

The historical inaugural Tucoswa congress in March 2012 resolved for workers and members of Tucoswa, in particular, not to be party to the 2013 elections. The congress pledged to

mobilise the rest of society against participating in the elections if the regime insisted that they continue under an environment that is neither free nor fair and that continues to prejudice political party participation. This resolution was made in the background of successive boycotts of previous elections by the mass democratic movement, with a few exceptions. The boycott dated back to 1993 when Swaziland resumed direct election of MPs after more about 15 years of elections through electoral colleges - a system that started in 1978 when the *Tinkbundla* system was launched as a working experiment by King Sobhuza II. The boycotts were in the years 1993, 1998, 2003, 2008 and the current ones in 2013.

For its bold stance, Tucoswa was summarily banned by the government and all government institutions, including the conflict resolution mechanism in the ministry of labour and social welfare, were ordered not to deal with it in any way. This rendered the federation unable to apply to have protest actions and general gatherings of workers. The last two May Days organised by Tucoswa workers have taken place with a strong and threatening police presence in riot gear and ready to pounce anyone who dares go against their instruction.

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In 2013 May Day on top of the intimidation all key Tucoswa leaders were stopped from attending the activities by either being prevented from leaving their homes or through detentions at police stations.

Having given this background it can be argued that this is not the first time the regime has resorted to these tricks to silence the mass democratic movement in Swaziland, because 17 years ago the regime employed an almost similar tactic to suppress dissent towards their 1998 elections. In 1996 the workers under the auspices of the Swaziland Federation of Trade Unions (SFTU) and supported by activists from the mass democratic movement brought the country to a standstill several times and since the country was heading for an election in 1998 the government reacted by repealing the Industrial Relations (1980) regulation that had largely given the workers space to exercise their rights and replaced it with a reactionary infamous Industrial Relations Act of 1996, which would later be repealed in 2000 after serious lobbying in particular by United States workers using the African Growth and Opportunity Act and at the International Labour Organisation.

It may also be prudent to look at the state of the political environment leading and coming out of these elections. Swaziland passed the Suppression of Terrorism Act (STA) in 2008 which summarily bans the main political party in the country, the People's United Democratic Movement (Pudemo), which has led to many of the party's activists being detained and harassed as in the case of Sipho Jele who was killed. While

this law does not mention any of the parties in Swaziland there is no law that deals with their registration and how they must engage society. Most political gatherings are broken up through a colonial era law, the Public Order Act of 1963, which gives the police enormous powers to disperse gatherings. Under this law the workers were the only ones required to abide by this law for their gathering and were also the ones who could mobilise people on the street to protest. In 2011 unlike any other year the workers had monthly protests from March calling for democracy and campaigning against the cutting of salaries of public sector workers. In 1996 the regime had dealt with the labour movement harshly and outside the laws then softening after the elections.

OBSERVER MISSIONS

The observer missions of the Southern African Development Community (SADC) and the African Union (AU) have been very subtle in their criticism of the elections, praising the electorate for being peaceful during the whole process. However, this time and for the first time they both sharply raised the issue of the elections not meeting the standard to be called free and fair.

The biggest news story that held the attention of the international media is the election of Jan Jabulani Sithole a highly popular erstwhile secretary general of the SFTU, which had previously led many of the election boycotts under his leadership – the last one being in 2008 a year before Sithole left office. Sithole was elected as an MP of

Manzini North *Inkbundla*. Those not well briefed of the limitations of the constitution might see the election of Sithole as a major shift in Swazi politics. He has become the poster boy for the fight from within Swaziland, in SADC and the rest of the world.

However, it should be placed on record that Sithole is not the first so-called pro-democracy activist to go into the *tinkbundla* parliament. Many before him, including Obed Dlamini, a former prime minister and president of the Ngwane National Liberatory Movement (NNLM) (who is currently serving in the king's advisory council), have gone in and the only thing that changes is their attitude towards the mass democratic movement. So in this context Sithole's election is not expected to usher in a better and democratic Swaziland, but may get him better business connections for a path into the heavens of economic success. Even worse, he has fallen into the trap of giving a new lease of life to a system that was desperate for a good story to come out of its election.

Many predictions were made and some have come true, but what remains clear for everyone in the mass democratic movement is that no change to the lives of the people can be effected by these elections and by the *Tinkbundla* system of government. For now the struggle for real democracy continues. ¹⁸

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