

## CIVIL LIBERTIES ANALYSIS

### The assassination of Thulani Maseko is part of a troubling regional trend



By [Tony Reeler](#) for the Daily Maverick

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*Human rights lawyer Thulani Maseko's memorial service at the University of Pretoria. (Photo: Leon Sadiki)*

Ibbo Mandaza, the director of the Sapes Trust in Zimbabwe, says that assassinations such as that of Thulani Maseko have become a feature of countries in which people in opposition are treated as enemies, 'rendering farcical the pretence to democracy'. But Mandaza pointed out that the challenge was not just those that mete out the violence, but also about 'those that stand by and do nothing about it'.

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Southern Africa, the continent and the world have expressed shock at the murder of Thulani Maseko, and rightly so. It was an extremely callous act, and obviously with political motives.

However, Maseko is not the only victim of coercion in Eswatini, and neither is Eswatini the only country in SADC or Africa generally where civil society activists, journalists and opposition political members are at risk or end up murdered by authoritarian governments. As [Ebenezer Obadare](#) pointed out recently, civil liberties are under increasing threat across Africa.

While there may be many differences across Africa in how dissent manifests itself, in some countries the assault on freedom has remarkable similarities.

This was evident in a recent Policy Dialogue held by the Sapes Trust, which brought together activists and leaders to discuss the implications of Maseko's assassination.

As Ibbo Mandaza, the director of the Sapes Trust, said in opening the dialogue, the assassination was a feature of countries in which people in opposition are treated as enemies, "rendering farcical the pretence to democracy".

Mandaza also pointed out that it was not just about challenging those that mete out the violence, but also about "those that stand by and do nothing about it".

Discussing the murder of Maseko, it struck many listeners and watchers that the similarities between Eswatini and Zimbabwe were clear. It was not merely the similarities in the political context and the coercion, but also the proposed solutions that were striking.

*Maverick Citizen* editor Mark Heywood, building [on his earlier article in \*Daily Maverick\*](#), pointed out at the outset that the erosion of civil liberties, the increased resort to coercion by authoritarian governments, and the huge geopolitical changes in the past decade all point to a steady decline in democracy.

Of course, this is not new, and respected political scientists made the point many years ago. [Larry Diamond](#) pointed out the dangers in 2008, outlining the "democratic rollback" and the growth of the "predatory state".

Heywood made the point, nearly two decades later, that little has changed and in fact, it is now much worse.

The notion of the predatory state has been [well described for Zimbabwe](#) and would apply equally to Eswatini under the rule of King Mswati III, proscribing legitimate political activity, abusing the resources of the country for a privileged elite, and now increasingly reliant on coercion and repression.

Prior to the particularly egregious murder of Maseko, there were the killings of more than 80 protesters in 2021, and there are continuous reports of more murders, abductions and other gross human rights violations.

### **Similarities between Eswatini and Zimbabwe**

But is Eswatini an outlier in SADC?

Clearly not, and the similarities between Eswatini and Zimbabwe are very striking.

First, there is the role of the military in supporting the government.

While in Eswatini there has been no coup as in Zimbabwe, and nor can it be described as a [securocrat state](#) like Zimbabwe, the absolute power of the monarch leaves no one in any doubt that the military in Eswatini is deployed at the whim of Mswati. While this might suggest that the military remains under civilian control, this veneer of constitutionalism convinces no one when "civilian control" lies in the hands of an unelected executive, accountable to no other body in the country.

Both countries are rated as NOT FREE by [Freedom House](#).

Second, in both countries civil society activists and opposition political party members suffer continuous threats and harassment.

Maseko was a victim of legal persecution, as is [MP Job Sikhala, who remains in prison in Zimbabwe](#): these are just the most publicly known cases among hundreds.

Thousands of Zimbabweans have fled into exile because of political threats, and frequently because of gross human rights violations such as torture. All the Swazi speakers at the Policy Dialogue made the same point in respect of Eswatini: many leaders from civil society and opposition political parties are in exile.

Third, and this was most poignantly made by the Swazi speakers at the dialogue, and is equally true of Zimbabwe, the citizens have seen a massive decline in their economic wellbeing and in the delivery of public goods and services, and the erosion of the social safety net.

This could be argued as being not unusual currently in Africa, but there is also the problem of the “kleptocratic” nature of the state in Zimbabwe and Eswatini. In 2021, Zimbabwe was [ranked by Transparency International](#) as the 162nd most corrupt country in the world and Eswatini the 124th.

But for both countries, these are just the symptoms of the underlying disease, the politics.

In Eswatini there is an overpowering executive and a largely supine legislature incapable of the vigorous oversight needed to control the executive. This is not new: Heywood pointed out in respect of Eswatini that this was evident years ago, calling Maseko’s murder an “assassination waiting to happen”.

A similar point was made by [Mandaza](#) about Zimbabwe and is frequently elaborated upon in opinion articles and press statements by Zimbabwean civil society organisations. Thus, it is not surprising that assassinations, abductions, arbitrary arrests, torture and intimidation are happening.

### **The impotence of SADC**

But what is disappointing is the weak-kneed response by SADC governments.

In both Zimbabwe and Eswatini, the ruling powers have rebuffed any attempt at intervening. Zimbabwe politely (perhaps) tells envoys from South Africa, and even the ANC, to mind their own business, and Mswati blocks any attempt at mediation by the SADC Troika.

Thus, it is hardly surprising that civil society in many SADC countries is forced to pose solutions for their problems, unaided by regional countries that mostly watch, often not expressing concern.

The recent SADC statement on Maseko’s murder is an interesting change, but will action follow? [As pointed out recently for Zimbabwe](#), still waiting in hope for change is also expecting the impossible.

For the Swazi activists and political leaders speaking on the Policy Dialogue platform, the solution was clear: dialogue, political settlement and a transitional arrangement.

The meeting agreed on the five key principles put forward by Swaziland’s Multi-Stakeholder Forum (MSF), which Maseko had chaired, for solving the Eswatini crisis that should be presented to the SADC Troika:

1. An all-inclusive, externally mediated political dialogue;
2. The unconditional unbanning of all political parties, including the criminally banned parties under the Suppression of Terrorism Act;
3. Setting up an interim transitional authority;
4. A new democratic constitution; and
5. The holding of free, fair, and democratic elections.

Another speaker pointed out the need for an external peacekeeping force during this process.

So, is Eswatini following the regional trend or leading it?

The question is obviously rhetorical, but the facts suggest that whatever the direction of influence, the similarities between Zimbabwe and Eswatini should suggest to SADC a course of action. After all, it is worth remembering from the region's colonial emancipation just how many countries benefited from strong international pressure, and thoughtful, non-partisan mediation.

As they say: what is sauce for the goose is sauce for the gander; what is good for colonial emancipation may be good for post-colonial emancipation too. **DM/MC**

*Tony Reeler is co-convenor with Ibbo Mandaza of the [Platform for Concerned Citizens \(PCC\)](#) in Zimbabwe.*

<https://www.dailymaverick.co.za/article/2023-02-12-the-assassination-of-thulani-maseko-is-part-of-a-troubling-regional-trend/>

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[\*"Who killed Swazi human rights lawyer Thulani Maseko?"\*](#)