

Is There Democracy in Swaziland?

A Personal Perspective

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*Edited By
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INTRODUCTION: A Brief Background of the Problem

The Kingdom of Swaziland, sometimes called Ngwane, is four hours' drive from Johannesburg, not far from Durban and Maputo. The Anglo Boer war saw Britain make Swaziland a protectorate under its direct control. Swaziland gained independence in 1968 with a constitutional monarchy in place.

The initial signs of political oppression begun in 1973 when the then King, Sobhuza II (father to current King Mswati III), suspended the independence constitution promulgated in 1968 and imposed a state of emergency that is still currently in force. The decree by the King gave absolute power to the monarchy and banned political parties. The main reason for this decree was the growing popularity of the opposition party at the time, the Ngwane National Liberatory Congress (NNLC), which alarmed King Sobhuza. Thus Swaziland holds the record for having the longest running state of emergency in the world - 37 years.

The absolute monarchy is thus the root of all problems in Swaziland. While other countries have varying degrees of freedom to choose their leaders

through free, fair and democratic elections, this freedom is severely curtailed in Swaziland.

The Kingdom is hereditary, and the King's power in many spheres of governance is near absolute. An elaborate system of Chiefs who derive their power from the King gives the King enormous personal power over the Kingdom. This form of personal ruler-ship has resulted in a governance crisis that has in turn led to policies that do not meet the social and economic needs of the people of Swaziland.

Swaziland has therefore for a long time been characterised by slow economic growth as well as high levels of poverty, unemployment, and HIV/AIDS infections (the highest in the world). The World Food Programme estimates that 69 per cent of Swaziland's 1 million people live below the poverty line, subsisting on USD 0.60 a day, and that life expectancy in Swaziland is the lowest in the world at 32.2 years.

Persistent activism and pressure forced the monarchy to initiate a process towards a new Constitution which was adopted in July 2005. However, the Constitution retained the absolute monarchy and the hereditary nature of the Kingdom. The King continues to enjoy supreme powers as before, while also controlling Parliament,

to which he appoints a significant number of members of the House of Assembly and the Senate (of the 30 members of the Senate, the King appoints 20 while 10 are elected by the House of Assembly).

The basic ingredients for a democratic society have been curtailed in Swaziland. The King appoints his own cabinet, ministers and the Prime Minister of the country. The King and the Queen Mother are above the law, meaning that they can not account to anyone for their actions. Swaziland is the only country in the region that has an absolute monarchy that oppresses its own people on the other hand when they start talking about having political parties in Swaziland.

The Government does not allow the Swazi people to have a say on political issues that have to do with having political parties in Swaziland. Everything goes via the King, and if he does not agree with any policy he rules it out. He has the final say in everything. Permission for public gatherings has repeatedly been denied in practice. The security machinery is used to suppress mass protests, and civil society and opposition political leaders are routinely detained under draconian laws.

The media is highly restricted and continues to be dominated by the State. Some Swaziland media

houses leak news stories to South African media houses for publishing as they cannot publish some stories due to threats of withdrawal of their licences. This brings to mind the system that we had in South Africa during the apartheid regime, whereby the media was not allowed to run with some stories.

Although elections are held every five years to determine the majority of the representatives, these elections do not meet the standards of democracy as political parties remain banned. The *Tinkhundla* non-party electoral system hardly offers the people real choices normal in a democracy looking at the democracy we have in South Africa. In addition, the regime has been known to mislead the Swazi people on the concept of democracy. For instance, the King is on record saying that democracy is what is happening in Zimbabwe!

In this book, I provide an account of my personal experiences and perspectives on the situation in Swaziland, as I have been involved over the years in activism for democracy in Swaziland.

THE SITUATION ON THE GROUND: A First Hand Experience

I first went to Swaziland in 2007 to take part in an annual women soccer tournament. My immediate

impression was that all was well in Swaziland and people loved the King, as his pictures were everywhere. However, as I interacted with the people, it emerged that many were not happy about the way things are in Swaziland, especially with regard to poverty and the HIV/ AIDS scourge.

I went back to Swaziland just before the King's 40th birthday celebrations. I was surprised to see so many people protesting the streets of Manzini and Mbabane. The people of Swaziland were angry as the King was spending a lot of money for his birthday celebrations. In addition, the King had decided to delay the opening of the schools as he wanted kids to perform the reed dance during his birthday celebrations.

During my tours around parts of the cities I was surprised to note that some school going children were sleeping within school premises and washing their clothes at the river near the stadium where the King's birthday event was going to be held. I could not understand how the King could call himself father of the nation while young girls were sleeping in classrooms. His children do not attend school in Swaziland, and thus he may be unaware of the reality on the ground. Furthermore, are the King's birthday celebrations more important than the education and well being of these children?

It was also reported that a girl had drowned while trying to wash her clothes at the river. After enquiries, I was informed that this happens every year during the reed dance. While culture is an important aspect of any society, there should be proper supervision. If this is an annual occurrence, it is then clear that the Swazi regime has either failed to put in place appropriate steps to prevent the deaths from happening, or simply does not care.

The 2008 Southern African Social Forum

A decision by the regime to prevent the Southern African Social Forum from being held in Swaziland in October 2008 was overturned by the Courts. The Forum was held from 16th to 18th October 2008, albeit in the open air in tents near Bosco after the Government declined to provide a venue.

I travelled to Swaziland for the Forum in the company of other delegates from the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU) and I was part of the civil society group. When we arrived in Swaziland on 15 October, 2008, we were questioned at the border, where we were delayed for more than 4 hours. On our way to a church which was to be our accommodation, there was a roadblock and

we thought we were going to be arrested. The police however escorted us to the church.

On 16 October the Forum started well, although it emerged that the King had declared “war” in Swaziland. This raised a lot of questions as delegates at the Forum were not only Swazis but also from the region. In the evening of October 16, we went to Tum’s Georges Hotel to attend a book launch. We were surprised to see, when leaving the hotel, the French army training Swazi soldiers. Perhaps this was why the King had declared “war”?

On 18 October the army and the intelligence followed us to the church. The church was soon surrounded by the police. We decided to leave Swaziland that same night as we knew that we were not safe. We remembered comrades Jack Govender (who was a South African activist from Swaziland Solidarity Network) and MJ Dlamini who both died in Swaziland. On our way back we decided to pass by the bridge where they died. We could not however stop as the place was under surveillance. We then proceeded to Kwa Magogo, where senior African National Congress (ANC) cadres used to meet at her house. Magogo was an ordinary citizen who gave her home to South African comrades travelling via Swaziland during the apartheid era.

The Smart Partnership Dialogue, 2009

In July 2009 I travelled to Swaziland again to attend the Smart Partnership Dialogue, where all Swazis met to talk about the challenges in the country. I noted that there was heavy police presence, some undercover, spying for the Government. They even attended the sessions and took notes, and participants were definitely intimidated by their presence. Free discussion was therefore inhibited.

Mr. Xaba was arrested in front of me for wearing a Peoples' United Democratic Movement (PUDEMO) T-shirt. His car (a Golf 4) was searched as if he was a criminal. I could not understand why he was treated like a criminal as he was pushed around and manhandled by the police. It was a scene reminiscent of the apartheid regime in South Africa. Previously I had read in the papers about such arrests. Now it was happening right in front of me. I had my camera with me and I decided to take footage of the incident. The police questioned me but I managed to talk my way out of it. Later that evening, the intelligence stationed at the hotel (Lugogo Sun) instructed a waiter to question me on which media company I was working for. The night before the same waiter had asked me why I was in Swaziland and I told him I was just a visiting student.

THE ACTIVISM AND THE STRUGGLE IN SWAZILAND: An Account on the Key Players

There are two main opposition political parties in Swaziland, which nevertheless remain banned. These are the Ngwane National Liberatory Congress (NNLC), formed in April 1963 as a breakaway party from the Swaziland Progressive Party (SPP), and the Peoples United Democratic Movement of Swaziland (PUDEMO) which was formed in 1983 with the help of people like the late comrade Chris Hani when he was in exile.

Mr. Mario Masuku, President of the proscribed PUDEMO, was arrested on 15 November, 2008 and charged with terrorism under the Suppression of Terrorism Act (STA), which has become a tool by the regime to intimidate pro-democracy activists in Swaziland. He was detained for 340 days, and was finally released on 22 September, 2009 after he was acquitted by the Courts.

On 21 September, 2009, unarmed activists and a group of journalists congregated outside the Matsapha Correctional Institution awaiting the release of political activist President Mario Masuku who had been acquitted that day of charges under the STA. Among them was Mr. Wandile Dlodlu,

Former President of the Swaziland Youth Congress (SWAYOCO), the youth wing of PUDEMO.

Mr. Wandile is also a former law student who was expelled from the University of Swaziland for his student and pro-democracy activism. It has been over 4 years since his expulsion out of university. Is that the price that he has to pay?

Without prior warning to disperse, prison warders charged into the group. Mr. Wandile Dlundu was kicked and beaten to the ground. Photographic evidence showing the targeted assault on him appears to have been disregarded by police investigators.

His lawyer, Mr. Thulani Maseko, was also earlier arrested at the 2009 May Day rally for saying that the bridge where comrades Jack Govender and MJ Dlamini died should be named after them. His arrest for saying this was clearly a violation of his freedom of speech.

On 8 May, 2009, civil society activists in solidarity with the Swazi people organized a sit in at the Swaziland consulate in Johannesburg which was led by the Swaziland Solidarity Network. We had posters of Mr. Thulani Maseko and President Mario Masuku demanding their release, as well as a memorandum addressed to the Government of

Swaziland. The sit in came after more than six months of weekly pickets outside the Consulate delivering memoranda demanding the release of President Mario Masuku. There was however no response from the Swazi Government.

Despite interventions by the security of the building and the police, we were able to hold a meeting with some officials of the Consulate. I remember two ladies working at the Consulate agreeing with us that things indeed need to change in Swaziland, but they could not do anything as they worked for the system.

We then asked to call the Swazi Prime Minister's office in order to inquire about our memorandums that we had delivered for the past 6 months at the consulate. We were informed that most Government officials were in Zimbabwe for some event. We then requested to speak to the late Ambassador Mswani, the then Swaziland High Commissioner to South Africa, who requested to have a meeting with the leadership on Swaziland Solidarity Network (SSN). We agreed to meet on 15 May, 2009 at the Sheraton Hotel. After the meeting with the High Commissioner on the 15th, the SSN held a press conference, after which we were informed that Mr. Thulani Maseko had been released. We indeed managed to speak with him over the phone.

The Tragic Case of Mr. Siphon Jele

An enduring case of the brutality of the Swazi regime is that of Mr. Siphon Jele, a timber industry worker who was a member of banned Swazi political party PUDEMO. Mr. Jele died in police custody in Swaziland after having been arrested on 1 May, 2010 for wearing a t-shirt with a PUDEMO logo. On 4 May, 2010, Siphon Jele was found hanging from the rafters of a toilet at the Sidvashini Correctional facility where he was being held.

There were several indications that he had not committed suicide as claimed by the Swazi police, including a swollen face, blood having come out of his nostrils, and the fact that he had not soiled himself as is commonly the case with those who have hanged themselves. The police officers in whose custody Siphon Jele was claim they did not kill him, although they admitted to have broken protocol on several accounts when arresting and detaining Jele.

I spoke to someone who was working very closely with the person who did the postmortem on comrade Siphon, and I found it strange that this person who did the postmortem could not tell how

comrade Siphosiso died as there was no evidence that he hanged himself and that he was killed.

Whatever the case, the fact that someone can be arrested by the regime and suffer a suspicious death while in police custody is a clear indication of the regime's blatant disregard for human and constitutional rights of its own citizens. It also shows that the regime will go to any lengths to prevent any transition to a free and democratic Swaziland.

This appears to be a campaign by the regime to intimidate the Swazi people into submission and to curtail freedom of assembly and expression, especially during the annual May Day rallies in Swaziland. The question remains - how many activists are going to be victims of the May Day rally in Swaziland until the regime realizes it is time for democracy?

A another visit to Swaziland July, 2011

I went to Swaziland in July, 2011. The visit was a big risk as I am well known as an activist by senior police officers at the Oshoek border post. I therefore had to be sneaked into the country without being recognised by the police. I also booked myself into a hotel out of town and which was not owned by

the King or his friends to reduce the chances of being under surveillance.

Having arrived on a Friday afternoon, I met with some comrades in Manzini, including Mr Wandile Dlodlu, former President of the Swaziland Youth Congress (SWAYOCO). We also had to meet out of town to avoid encounters with the police. It was a tense experience. I remember walking towards Mr. Dlodlu and then both of us suddenly having to walk in different directions as there were police in sight. Luckily they did not recognise him and I finally managed to meet him.

Mr. Dlodlu took me further out of town to meet with Siphos Jele's aunt. It was very difficult to move around, as I needed to be in the company of comrades and on the other hand the police were everywhere in town.

I spent an hour with Ms Jele, and it was sad to see that she is no longer wanted by the community simply because Siphos Jele was a member of PUDEMO. She now wears a PUDEMO T-shirt herself after what happened to Siphos, which in itself is an act of courage. She particularly wishes for the international community to pressure the Swazi government to avail the post-mortem of Siphos Jele's body as the family needs closure over how he died.

THE ACTIVISM AND STRUGGLE IN SOUTH AFRICA: The Exiles



Left-right: Ms. Jullie Beya, National Treasurer, SASCO; Mr. Bongani Masuku, COSATU Secretary for International Relations;

Mr. Malefo Mosemanyane, Young Communist League (YCL) International Relations Coordinator; Mr. Solly Mapaila, National Chairperson, SSN

There are many Swazis forced into exile in South Africa for their activism against the undemocratic regime, most of them in Nelspruit and Durban which are both close to the borders gates with Swaziland.

Many of them are forced into exile due to constant harassment by the regime's security forces. Their houses are raided every night without regard to their privacy or possible trauma to their families, especially those who stay with their parents. Their phones are also tapped, and they are practically being followed everywhere they go. Some, like PUDEMO's President Mario Masuku, are regularly placed under house arrest.

However, even in exile some are not safe from the regime. A case in point is that of Dr. Gabriel Mkhumane, a former Deputy President of PUDEMO who was gunned down in April 1, 2008 in Nelspruit. He had been in exile since 1986. It is unclear even now who killed him. I saw Dr Mkhumane at a picket at the Swaziland High Commission in Pretoria where he delivered a memorandum on behalf of PUDEMO two weeks before he was killed. It is so sad that he left behind a wife and two children, and that his family had

not seen him for years before his death. Again, how many have to die before Swaziland is democratized?

A prominent Swazi exile in South Africa is Mr. Bongani Masuku, who is the Secretary for International Relations for COSATU. He is also a former President of SWAYOCO, and his activism for democracy in Swaziland forced him to go into exile as he feared for his life given the history of the Swazi regime. He could not even attend the burial of his both his parents funerals when they passed away. Mr. Bongani has been active in pro-democracy campaigns for Swaziland, especially through the Swaziland Democracy Campaign.

The Valiant Student Activism



Left-right: Pius Vilakati (currently in exile in SA), Thabo Dlamini and, Maxwell Dlamini (currently in prison in Swaziland) all officials of the Swaziland National Union of Students, at a Public Forum Discussion on Swaziland in Naledi, Soweto

Students at Swazi institutions of higher learning have always been intimately involved in activism for democracy in Swaziland over the years. Part of their activism brings them to South Africa from time to time to brief their counterparts, especially during crackdowns against student activists by the regime that usually involve closure of the University of Swaziland and other colleges.

A case in point was the closure of the university and the colleges in February 2010, after which some leaders of the Swaziland National Union of Students (SNUS) – Mr. Pius Vilakati, Mr. Maxwell Dlamini, and Mr. Thabo Dlamini – fled to South Africa. SNUS had just led the students in protests demanding for the following:

- The recognition and registration of SNUS by the Swazi Government. The Students' Representatives Councils (SRCs) from all tertiary institutions had approached the Ministry of Labour and Social Security to demand recognition and registration of their union but this was declined.
- The withdrawal/rejection of the Draft Scholarship Policy. Students complained

over lack of consultation and involvement in the drafting of the policy considering they constitute one of the biggest stakeholders in the education sector.

- An increase in the Personal Allowance given to students by the Government, which has remained at E 462.00 since the early 1990s, to E 5,820.00. (1 Emalangenzi is roughly equivalent to 1 Rand)
- The implementation of free primary education in all grades in line with the Swazi Constitution.
- The withdrawal of charges under the STA against a student for taking photos of police officers who were arresting student leaders.

Before their arrival, I received a call from the then President of SWAYOCO, Wandile Dlundlu, informing me of their situation and requesting me to arrange accommodation for them, which I did. The SNUS leaders arrived in Pretoria late at night, and had hiked a lift from some lady who was travelling to Durban. This highlighted the desperate nature of their situation, she used the JHB route just to drop them off.

Fortunately, I was able to make arrangements for them to meet the leadership of the South African Students Council (SASCO), and also organize a Public Forum Discussion focusing on the situation

in Swaziland where they shared their first hand experience with the Swazi regime.

The SNUS leaders, particularly Mr. Pius Vilakati, continued to face harassment from the regime after their return to Swaziland. Mr. Vilakati faced charges of damaging university property, and was served a court interdict preventing him from entering the university premises. He was also suspended from the university between March and April 2010.

Pius Vilakati is currently in exile in South Africa after fleeing Swaziland for fear of his life following the death of Siphon Jele. He left Swaziland on the day of the funeral of Siphon Jele. During the night vigil before the funeral of Siphon Jele he spoke against the regime, saying that it was killing the people of Swaziland and that the King was misusing the tax payers' money. He boldly stated that the King was like Harold in the Bible who only cared about himself, and urged the civil society to be more vocal. On the day of the funeral there was heavy police presence on the look out for him, and he had to flee about 10 hours later.

Pius became popular in 2006 when he was then Secretary General of SNUS, when he, together with Wandile Dlodlu who was then President of SNUS, led a student boycott and protest against a new

scholarship program that classified students into low and high priority categories. It was this protest that led to Wandile's expulsion from the university.

COSATU Oshoek Border Blockade

As part of a week of intense activism against the undemocratic regime, COSATU led its affiliates, alliance organisations, civil society structures, traditional (including the Traditional Healers Organization) and cultural organisations and ordinary South Africans and Swazis in a border blockade on 4 September, 2009 at the Oshoek South African border post with Swaziland.

We left Johannesburg by bus the night before around midnight heading for the border, arriving there at 5 a.m. We waited for more comrades from Johannesburg and Mpumalanga coming by bus. We were however informed that some bus owners were reluctant to hire out their buses to transport comrades after learning that they were headed for a border blockade. We then decided to start the blockade as time was running out.



Rebone Tau participating at the COSATU border blockade at Oshoek

Later on we were joined by key comrades from Swaziland including former SG Sphasha Dlamini from PUDEMO, former President Wandile Dlodlu from SWAYOCO, and Current SG, who was the DP Skhumbuzo Phakathi of PUDEMO at that time.

I was taking footage of the event with my video camera despite the presence of CIO from Swaziland who had crossed to the South African side of the border to check if there were any Swazis at the picket. I then took footage of the Swazi police and after that they started pointing at me and telling me that they will get me.

Concerned about his wellbeing after the blockade, I asked the then SWAYOCO President Wandile Dlodlu if the Swazi police, who were clearly there to gather information on who among the Swazis was participating in the blockade, will arrest him when he went back. He assured me that he will not be arrested, but knowing the regime, I knew better. Indeed it later on emerged that Mr. Wandile was arrested, beaten up by the police and questioned about me, who I was as they had threatened to arrest me at the boader. He was then dumped at the Coronation Park at around 7 p.m. the same day. It is still unclear on what grounds he was arrested. It is nevertheless another clear indication that the regime is intent at all times to intimidate and crush any opposition.

THE PRESSURE INTENSIFIES: The September 2010 Global Week of Action

The annual Swaziland Independence Day celebrations fall on the 6th of September. A Global Week of Action campaign to push for democratization of Swaziland was therefore organized for the week of 6 - 10 September, 2010 by civil society organizations led by the Swaziland Democracy Campaign (SDC). As part of this

campaign, demonstrations were planned to take place inside Swaziland.

As usual, Swaziland intelligence was already aware of such plans, and trouble broke out on 5 September, 2010. Activists from South Africa and other parts of the world were gathered at the Times George Hotel in Manzini, Swaziland, where representatives from the Africa Contact, a Danish non-governmental organization whose work is focused on efforts against political suppression in Southern Africa, were set to present PUDEMO's President Mario Masuku with an award. The Danish Parliament had earlier in March 2010 awarded Mario Masuku the award – the Swaziland Democracy Watch (SWADEWA) Democracy Prize 2010 – and the seminar at the Hotel was meant to formally present him the award as well as discussing the history of the democratic movement in Swaziland. Unfortunately the seminar was disrupted as the police arrived at the venue and arrested around 40 people, with the rest managing to evade the police.

I had been in contact with Wandile Dlodlu, who was attending that seminar, during that day, and when I called him around 3 p.m. he informed me of their arrest and detention at the Regional Police Headquarters. I followed up with him at around 6 p.m. when he informed me that all the Swazis arrested had been released. At around 7:30 p.m. he informed me that all the South African nationals who had been arrested had been released and were being deported back to South Africa. They were driven to the border that leads to Durban instead of the Oshoek border post, which was strange as they were all from Johannesburg. Some of those arrested included the following:

- Zanele - Deputy Secretary International Affairs COSATU
- George Mahlangu - COSATU
- NUMSA National President
- Muzi Masuku - OSISA Country Manager, South Africa
- Vincent Ncongwane - Secretary General of Swaziland Federation of Labour
- Sikelela Dlamini - Swaziland Democracy Campaign
- Phumelela Dlamini - Swaziland Democracy Campaign
- Mary da Silva - Swaziland Democracy Campaign

- Mpandlana Shongwe - Swaziland Democracy Campaign
- Wandile Dlodlu - SWAYOCO President
- Ntokozo Mbele - SDC South Africa Chapter
- Steve - SDC South Africa and International
- Sikhumbuzo Phakathi - CCEPPWU/Deputy President of PUDEMO
- Muzi Mhlanga - General Secretary Swaziland National Association of Teachers.
- Musa Hlophe - Swaziland Coalition of the Concerned Civic Society.
- Sibusiso Lushaba - General Secretary Swaziland National Association of Nurses

Since political parties remain banned in Swaziland, demonstrations can only be allowed by the regime if they are trade union-related. Thus the only way for pro-democracy activists to express themselves through demonstrations is by joining trade union protests. This was the strategy used during the pro-democracy marches held on 7 and 8 September, 2010 in Manzini and Mbabane.

The first march was held in Manzini on 7 September. The regime appeared prepared for it and, as Wandile Dlodlu informed me by phone, the police had erected many roadblocks between Mbabane and Manzini in order to restrict movement and prevent people from Mbabane from joining the March. Police harrassment was evident

as most owners of vehicles with South African car registration in Swaziland decided to park their vehicles for fear of harassment and possible arrest and deportation. However, some Swazi demonstrators, including Wandile, managed to get to Manzini for the march, which was attended by approximately 200 people. This low figure was due to the fact that many people were intimidated by the presence of the police, and that the roadblocks restricted the movement of people.

A number of people were also arrested for taking part in the march, including the Africa Contact delegation from Denmark who were arrested together with a Zimbabwean by the name of Sox. They had just presented Mr. Mario Masuku with the SWADEWA Democracy Prize 2010 award. Mr. Sox had just taken photos with the PUDEMO President using his cell phone, which was immediately switched off by the police. He was later harassed by the police who demanded for the phone's pin code, but he informed them that he did not have it at that moment since he did not know it by heart, and that he had left it at his house in South Africa.

PUDEMO's President Mario Masuku was also arrested and taken in for questioning. He was later released and placed under house arrest thus

preventing him from participating further in the march.

In a sign of utter disregard for the norms of international relations and international law by the Swazi police, the delegation from Denmark was beaten up and later deported back to Denmark. Mr. Sox was also released and later deported back to South Africa.

The second march was held on 8 September in Mbabane. SWAYOCO's then President Wandile Dlodlu was arrested again during the march, beaten up and detained. Heavy handedness by the police was evident during the marches, as attested to by the pictures below.



President Mario Masuku- PUDEMO



The masses marching for change in Swaziland



President Mario Masuku being arrested.



SWAYOCO President Wandile Dlodlu



Policewoman during the march.



Wandile Dluclu being arrested



Police in Manzini

The Aftermath

The marches were successful in generating regional and international publicity on the situation in Swaziland. The regime was exposed as one that is hell bent on stifling the democratic rights and freedoms of its own citizens, and one that has little regard for international norms and practices regarding the handling of foreign citizens. Indeed, no less a person than the Prime Minister of Swaziland is on record threatening foreigners taking part in demonstrations against the regime with torture through “*sipakatane*”, a brutal and universally condemned form of torture involving the beating of one’s bare feet with spikes! This was a clear violation of the Constitution of Swaziland, regional and international human rights treaties including the United Nations Convention Against Torture, to which Swaziland is a State Party.

It was further made clear that the monarchy is not ready to change with the times and listen to its own people. The arbitrary and violent arrests and harassment of protesters during the marches was a marked indication that the regime is intent on shielding itself from the reality. Such insulation from the voices of the popular masses is surely the ingredient for political and economic instability that the region and the international community can only ignore at its own peril.

However, some divisions became apparent among civil society groups based both within Swaziland and in South Africa. These emerged after a delegation that participated in the marches in Swaziland briefed diplomats in Pretoria, the African National Congress (ANC) Secretary General's office, and the South African Communist Party (SACP) on the situation in Swaziland especially during and after the marches. The delegation was mixed, with representatives from the civil society and political parties in Swaziland although PUDEMO could not make it. While the briefings went well, some Swazis based in South Africa were not happy that PUDEMO was not part of the delegation, leading some to question whether the struggle is about the people of Swaziland or PUDEMO. PUDEMO was invited to attend the meeting and they sent an apology as they could not make it.

It is my hope that the need for clear unity of purpose is not lost on all those in the struggle for democracy in Swaziland. Now than ever before is the time to pool together all energies and resources against the undemocratic regime in Swaziland. I have engaged some senior officials from the ANC on the Swaziland issue and they have always expressed concern at divisions among civil society and political groups engaged in the struggle for

democracy in Swaziland. Some members of the diplomatic community in Pretoria have expressed similar concerns.

Harassment of activists however has continued unabated. Mr. Wandile Dlodlu, for instance, was questioned at the Oshoek border on his way to Pretoria on 9 September, 2010 to apply for a law degree programme at the University of Pretoria. His luggage was also searched by the police, who found a book – “*A History of Swaziland*” by Dr. J. S. M. Matsebula. The police wanted to know why he had the book and where he was taking it, after which he told them that the book is not banned in Swaziland. The fact that one can be questioned about a book that focuses on his country’s history betrays the regime’s paranoia about its own citizens, as well as a manifest disrespect for one’s privacy as enshrined in a true constitutional democracy.

During his brief stay in South Africa I managed to arrange a meeting between Mr. Wandile and a diplomat based in Pretoria whose embassy is also accredited to Swaziland.

Africa and SADC

It is indeed sad and unfortunate that no African country issued a statement condemning the

arbitrary and violent arrests and the blatant abuse of the human and democratic rights and freedoms of the people in Swaziland as well as the activists from neighbouring countries during the marches. African and regional human rights and democracy instruments, including the African Charter on Democracy, Elections and Governance and the Southern African Development Community (SADC) Treaty and Declaration, appear to be disregarded by African states.

The African Union (AU) and SADC were indeed conspicuously silent as these abuses were meted out on citizens expressing their legitimate concerns. In my experience with the diplomatic community in Pretoria, African diplomats are reluctant to engage with activists on the Swaziland issue, even privately, in order to better understand the situation in that country and report as appropriate to their capitals. On the other hand, diplomats from Western countries are always willing to engage, if only to better understand what is happening on the ground in Swaziland.

African leaders need to take charge and stop protecting their friends, we talk about non interference and that we should deal with issues in the African way, that is why we will have the West interfering in our issues, as our African leaders don't act in time. We need to find leaders that will

act in time, for us not have the West interfering in our issues, look at Libya and Ivory Coast. We need to deal with dictors who are not adding any value in their peoples live. You have another dictor next to South Africa, Presidnt Mugabe who say South Africa is falling its people, we end being where we are as a country because we have so many Zimbabweans who have fled Zimbabwe and one of the reason they are here is because of the way ZANU-PF is running elections in that country.

2011: THE REPRESSION CONTINUES AS FINANCIAL CRISIS WORSENS

Events in Swaziland have manifested clearly that the regime has remained steadfast in its quest to continue curtailing the fundamental freedoms and rights of the Swazi people.

The youth of Swaziland, led by university students and joined by the labour unions, civil society as well as the banned political parties, planned major demonstrations scheduled to be held across the country on 12 April, 2011. The date was chosen to mark 38 years since the decree by the then King Sobhuza II to suspend the Consitution and introduce a state of emergency in Swaziland which has been in place ever since. The demonstrations were dubbed “April 12 uprising”.

For a while there was speculation, and indeed hope, that the uprisings witnessed in the Arab world, notably in Egypt, Libya and Tunisia, would have a demonstration effect in Swaziland and inspire the people against the regime. However, the regime was well prepared. There was heavy police presence as well as roadblocks and checkpoints in the major cities. Many protesters were arrested, including three youth protesters who were then charged with possession of explosives. These were Themba Mabuza [SUDF NOS], Maxwell Dlamini [SNUS President], and Musa Ngubeni [SWAYOCO member and PUDEMO regional leader]. Themba Mabuza was released later. Comrade Maxwell and Musa they are both out, they had to pay R50.000, 00 each for their bail.

Others arrested and released included the following:

- Mary Pais Da Silva and Sikelela Dlamini, the Coordinators of the Swaziland Democracy Campaign and the Swaziland United Democratic Front
- Simon Mvubu - DP SFTU and SDC Committee Member
- Wonder Mkhonza - DSG SPRAWU
- Ntombie Langwenya - SNAT Women's Wing
- Quinton Dlamini - SNACS President

- Percy Masuku – IRALE Coordinator
- Mcolisi Ngcamphalala – SWAYOCO National Organising Secretary
- Goodwill Sibiyi – PUDEMO
- Lucky Dlamini – Swaziland Youth in Action

In reaction to the events in Swaziland, the ANC issued the following statement, which was seen by many as a positive sign that the ANC is finally pronouncing itself on the Swazi issue in a clear way:

“The African National Congress (ANC) is deeply concerned about the current political environment in neighbouring Swaziland where a group of unarmed civilians involved in a peaceful demonstration has been violently broken up by security forces.

Having emerged from a brutal past of apartheid that has led to scores of our people being assassinated, assaulted, detained and imprisoned, South Africa is today a world-renowned democratic constitutional model. Were it not for the National Party-led minority regime having been forced by the masses of our people to engage in a dialogue with the African National Congress (ANC) and other liberation movements prior 1994, this would not have been possible. We therefore, call on the government of Swaziland to work towards the normalisation of the political environment by unbanning opposition political parties, releasing political activists and engaging in a meaningful dialogue with opposition political and trade

union leaders to find a collective solution to the socio-economic situation faced by that country.

As seen in South Africa prior democracy, the use of security forces to quell any form of political dissent and failure to address legitimate concerns of citizens, can only lead to the worsening of relations between government and civilians, something that does not augur well for economic stability. In the interest of maintaining the much-needed stability within the Southern Africa Development Community (SADC), we strongly believe that the situation in Swaziland requires an urgent attention.

It is in the government of Swaziland`s interest and its people to resolve the internal conflict in that country – a step that will certainly bolster its political and economic relations with other countries. Having been involved in African Union (AU) missions to work towards ensuring an end to conflicts in North Africa, it is also in South Africa`s interest to see a politically stable Swaziland.”

South Africa Offers Financial Bailout for Swaziland

2011 has been a bad year for the Swazi government as it has had insufficient funds to meet basic expenditure demands including provision of medicine in hospitals, payment of salaries for teachers and civil servants as well as payment of government suppliers.

This financial crisis clearly has its roots in the excesses of the royal family, which have engendered fiscal mismanagement, corruption, and misplaced priorities. However, without recognizing this fact, the Swazi government and the King approached the International Monetary Fund (IMF) and the Development Bank of Africa for financial assistance. Among the requirements for such assistance as indicated by the IMF was a commitment to proper fiscal management and the external supervision thereof, a requirement which the regime could not countenance.

The regime then approached South Africa for assistance. South Africa agreed to offer assistance subject to certain conditions, including an all-inclusive dialogue with all the role players in Swaziland as well as proper, externally supervised fiscal management. Swaziland was supposed to get the first tranche of the loan at the end of August 2011 if they agreed to the conditions put by the South African government.

I continued to follow the bail out issue as a concerned citizen of this country and also as a taxpayer. At the end I was happy to hear that South Africa had not released the first tranche at the end of August 2011 as the Swazi government

failed to agree to the conditions that were put by the South African government.

The South African position is understandable and indeed commendable as it is in South Africa's national interest that its neighbours in the region are stable politically and economically. Already, South Africa has borne the brunt of economic collapse in Zimbabwe. Should Swaziland follow suit, this would pose serious challenges to South Africa's own development prospects as well as the region's economic stability. Internally, South Africa may face increased economically disruptive cases of xenophobia due to increased immigration from an economically collapsed Swaziland.

South Africa however is in a catch-22 situation, as the Swazi regime may completely reject the conditions put forward for the bailout. How then does the South African government move forward on this issue knowing the consequences of a collapsed Swaziland economy?

Clearly the King of Swaziland does not care about the people of Swaziland. He has failed his own people, and Swaziland is in this crisis because of him, his family and friends who just misuse funds that are meant for the Nation. One wonders how he lives with himself, having the future of the people of Swaziland at this present moment in his hands.

If he really cared for the people he should have agreed to the conditions put on the table by South Africa. His own personal fortune, variously estimated at around US\$ 100 million, can sustain the country for a while. He can even loan the government money!

PERSPECTIVES ON THE FUTURE: Clear Responsibilities

In order to realize the vision of a free and democratic Swaziland society where the people can freely express themselves without intimidation, arbitrary arrests, torture and murder, clear responsibilities have to be met by key players at the national, regional and international levels.

The Monarchy

The King in Swaziland is arguably the last epitome of the dying syndrome of personal rule in Africa. He is everything in Swaziland, from being the absolute monarch with executive and legislative powers as well as control over the appointment of judges who are supposedly independent and subject only to the Constitution, to being a businessman, father of the nation, Chancellor of the University of Swaziland, etc. He has an omnipresence in the political, economic, social, and cultural spheres in Swaziland that is inimical to the logic of limited

government found in a genuine democracy. How does one hold all these important positions in the country and not be absolutely corrupted by the absolute power he holds?

It is indeed tragic that the 2005 Constitution in Swaziland was crafted to uphold this travesty of democracy. In addition, the provisions of the Constitution are regularly flouted by the regime. For instance, while Chapter III of the Constitution outlines the fundamental rights and freedoms of the individual, including respect for life, liberty, right to fair hearing, equality before the law and equal protection of the law; freedom of expression, peaceful assembly, association and movement; protection of the privacy of the home; and protection from inhuman or degrading treatment and arbitrary search, it has already been proven beyond doubt that these are hardly upheld in practice.

Chapter XII of the Constitution also gives the King personal control over land in Swaziland: *“From the date of commencement of this constitution, all land (including any existing concessions) in Swaziland, save privately held title-deed land, shall continue to vest in iNgunyama for the Swazi Nation...”* In practice, the traditional chiefs, acting on behalf of the King, have used land as a tool for buying loyalty from the Swazi people, and to threaten dissenters with

eviction from land. The people of Swaziland thus live in fear of losing land at any time to the King.

The King's business interests go beyond land to include ownership of several hotels in Swaziland as well as significant interests in MTN, the only cellular services provider in Swaziland. In some instances such interests have been used to abet restrictions on freedom of assembly and movement. A glaring instance was during the marches in September 2010, when MTN went off air for long durations in order to curtail these freedoms.

Not only is the King and *iNgwenyama* immune from taxation, they also use tax payers' money to fund their famously lavish lifestyle. The ever growing royal family feeds off the sweat of its own citizens to maintain itself. Extravagant shopping trips abroad by the ever growing number of the King's wives while the people of Swaziland struggle with high levels of poverty and HIV/AIDS prevalence rates are well documented. This callous and highly insensitive disregard for the plight of ordinary Swazis by the monarchy is inescapable and indeed baffling.

The King has not seen it fit to limit spending by the royal family by limiting the number of wives he should have. While I respect the culture of the people of Swaziland, it must not be an excuse for

callous insulation from the reality on the ground. In addition, it is bemusing to note that despite their lavish lifestyle, cases of infidelity among the King's wives come to light now and then. A famous and recent case is that which emerged on 1 August, 2010 between Queen LaDube and the Minister of Justice Mr. Ndumiso Mamba, who was also a close friend of the King. Will such scandals bring the King to his senses?

Against the background of lavish spending by the royal family, it recently emerged that the Swazi Government is unable to pay salaries for civil servants for the months of October to December 2010. It was further reported that the Government was in talks with the International Monetary Fund (IMF) and the European Union (EU) seeking funds to pay civil servants. This is another incredible example of a regime that has failed to meet the economic and social needs of the Swazi people. It is an indication of misplaced priorities and lack of focus and vision on the direction of the country. It is surely the perfect ingredient for popular uprising that the regime is fighting to forestall.

It is clear then that the regime has to change its ways. It has a clear responsibility to prevent a downward spiral that will surely follow the abdication of its duty to meet the social and economic needs of its people. It must allow a

peaceful transition to genuine democracy through lifting the 37-year old state of emergency; lifting the ban on political parties; allowing the actual practice of fundamental rights and freedoms of the people including freedom of association, movement, and expression; allowing the return of all exiles back to Swaziland and ceasing the harassment of activists; lifting restrictions on the media; and putting in place structures and processes towards a new and democratic constitution that provides for a constitutional monarchy.

The Swazi Opposition

While appreciating the difficult conditions the opposition formations in Swaziland face in their brave and sustained quest for democracy in Swaziland, one can't help but be disappointed by the equally sustained and self-defeating disunity and divisions among them.

This disunity is baffling considering Swaziland's mono-ethnic society, which, in view of the challenges that multi-ethnic African countries face, is supposed to be a source of strength for the Swazi opposition.

The opposition groups, both those based in Swaziland as well as those based in South Africa, do not agree on a lot of issues. While the formation

of more and more groups and parties is a clear manifestation of widespread discontent about the situation in Swaziland, opposition unity and clarity of purpose appear to have suffered greatly as a result. For instance, the formation of the Communist Party of Swaziland (CPS) in 2011 brought to the fore divisions between those who prefer a Constitutional Monarchy and those who prefer complete abolition of the monarchy and establishment of a Republic. From my understanding, most of the founding members of the CPS are former PUDEMO members, although they did not have PUDEMO's blessing when they launched CPS.

Other initiatives, for instance the "*Talks about Talks*" initiative as well as those initiated by the Swaziland Democracy Campaign (SDC), continue to reveal deep-seated, and often frivolous, divisions among Swaziland's opposition elements. One only has to subscribe to the online forum, the Swaziland Solidarity Network (SSN) Google group, to witness the unfortunate, often mediocre and very public displays of divisions among the Swazi opposition groups. Some on the SSN Google group have even taken to blatantly insulting the ANC as a Party in their unrestrained, undiplomatic, and divisive statements. One wonders if the Swazi opposition will hold meaningful talks if the King would finally decide on dialogue.

This is a call therefore to all the opposition groups in Swaziland as well as those based in South Africa – they should focus on the historic task at hand and unite to achieve a democratic Swaziland that effectively serves the socio-economic needs of the people. For instance, the majority of the people of Swaziland still do not understand what a Constitutional Monarchy is and what it entails. The Swazi opposition should therefore be educating their people on the ground and engaging the Chiefs on this issue. The Kingdom is part of Swaziland’s culture and complete abolition the monarchy in favour of a Republic may not be a viable course of action.

South Africa and the Region

The National General Council of the ANC Youth League (ANCYL) held in August 2010 took a clear position on the situation in Swaziland, calling for a constitutional monarchy and genuine democracy in that country. Although it is worrying as they did not invite SWAYOCO to their NGC. Specifically, the Declaration of the NGC stated that *“As an immediate focus, the ANC Youth League will campaign for social and political justice in Swaziland. We cannot continue to behave like all is well in Swaziland because political parties remain banned and political activists are brutalized and killed by the Monarchy.”*



Mr. Abner Mosaase International Relations Secretary ANCYL talking to the masses in Orange Farm

The ANCYL has constantly been in solidarity with the people of Swaziland, and its International Relations Secretary also and NEC member of the ANCYL, comrade Abner Mosaase has participated in numerous solidarity activities on Swaziland.

In December 2010, South Africa hosted the World Youth and Students Festival which was led by the National Youth Development Agency (NYDA). I am glad to have been part of it, and the youth of Swaziland participated courtesy of sponsorship by Open Society Initiative for Southern Africa (OSISA).

The NYDA and ANCYL provided a platform for the Swazi youth to tell their story to the youth who

participated. A lot of people were not aware of what was happening in Swaziland and how the King mishandled his own people. It was encouraging to see the youth from all over the world being in solidarity with the people of Swaziland. The Festival went a long way in highlighting the situation in Swaziland to the progressive youth from SADC, Africa and all over the World. Today we have a lot of youth who want know more about Swaziland from all over the world. I am glad that NYDA and the ANCYL made this possible.



Banner of the Festival



Participants who attended the Swazi seminar at the World Youth Festival



Former President SWAYOCO Wandile Dlodlu addressing one of the sessions at the festival as Mr. Vilaphi Mamba (OSISA, Swaziland) looks on

I am hoping that the ANC will have a clear resolution, on how they will be in solidarity with the people of Swaziland at their 53rd conference. I have been engaging with some members of the ANC International Relations Sub-Committee on the Swaziland issue, and a positive change in attitude towards the Swaziland question can be discerned, especially after they were able to meet with PUDEMO's President Mario Masuku, NNLC's President Dr. A. T. Dlamini, and SWAYOCO's President Wandile Dlodlu at a Southern African Liaison Office (SALO) seminar on 7 October, 2010 at Burgers Park Hotel, Pretoria. They made it clear that before the ANC Conference in 2012 there will be a policy conference and they will push for the ANC to take a clear position.

A key misconception has always been that the opposition activists in Swaziland, including PUDEMO, are fighting for the overthrow of the King and for the monarchy to be done away with completely. However, PUDEMO's President Mario Masuku made it clear to the ANC members they met with that this is not the case, and that PUDEMO only seeks democracy within the framework of a constitutional monarchy.

For instance, I have not seen any reports from the South African Government about the arrest and detention in Swaziland of comrade Amos

Mbulaheni Mbedzi who is a South African and an ANC cadre. Comrade Mbedzi was arrested in 2008, and it is two years now that he has not been convicted.

It is disturbing to hear of persistent but unconfirmed reports that some of our senior politicians are benefiting in Swaziland through business and investment deals, and that this could be a factor in the ANC's policy towards Swaziland. If this is true, it would be an insult to our valiant comrades who for many years fought the oppression of the apartheid regime only for us to turn around and support oppression in neighbouring countries.

The civil society, both in Swaziland and South Africa, have repeatedly called on SADC to uphold the principles of its own Treaty as well as the SADC Principles and Guidelines Governing Democratic Elections with regard to Swaziland. These calls have been met with silence as Swaziland continues to conduct sham elections that take place under conditions that flout the principles of democracy, strangely with SADC election observers always on the ground. When will this tacit regional acquiescence with the Swazi regime's undemocratic practices end? Is it true then that African leaders, facing governance challenges at home, are reluctant

to speak against undemocratic behavior of their colleagues?

Africa and the AU

While the AU made a commendable break from the Organization of African Unity's (OAU) policy of non-interference to a policy of non-indifference, it remains debatable whether non-indifference should only be invoked in cases of genocide, war crimes and crimes against humanity. Shouldn't this policy also be invoked in cases of clear, sustained, and brutal suppression of democratic rights of citizens by their own Governments, as in the case of Swaziland? Comrades Siphon Jele, Jack Govender, and M.J. Dlamini were killed by the regime in Swaziland. Many more have died and suffered in the hands of the regime, some even in exile. A state of emergency has existed for 38 years now in Swaziland. Swaziland is a country with a population of less than a million people. If the AU were to act only in cases of genocide, war crimes and crimes against humanity, does that mean half the population in Swaziland has to die for action to be taken? Should we continue defining crisis by the number of people who die?

It is sad that people are oppressed in Africa and our leaders do not say or do anything about it. Fundamental freedoms and human dignity within

the framework of democracy are universal values that cannot exist in isolation. The protection of human dignity and fundamental freedoms must be upheld not only at the national level but also at the international level. It should be a case of “an injury to one is an injury to all”. The enjoyment of fundamental freedoms and promotion of human dignity at the national level is not complete until such are enjoyed universally. Not only is it a moral obligation for African States, but it is also in their interest in order to avoid regional instability as an oppressed society is inherently an unstable one.

Time has come for African leaders to live up to their high sounding statements on democracy, good governance and human rights. The time is now for African States to actually put in practice their high sounding foreign policies and promote regional instruments such as the African Charter on Elections, Democracy and Governance and the African Charter on Human and Peoples’ Rights. African States must speak out against abuses of fundamental freedoms of African people anywhere on the continent. This is critical, even with regard to such a small country as Swaziland, for the realization of African integration agenda.

CONCLUSION

In this book I have attempted to provide a personal account of my experiences as an activist advocating for democracy in Swaziland, as well as some perspectives on the way forward. Swaziland remains a test case for South Africa's, the region's and Africa's commitment towards promoting fundamental freedoms, human rights, democracy and good governance. It is my hope that they will not fail.

I am hoping that by the time you finish reading this book you will understand and support the ordinary people of Swaziland. While culture and tradition are important in any society, especially one as richly endowed as Swaziland, and as much as I respect his Majesty King Mswati III, it is important to uphold the principles of democracy in Swaziland. The foundation for this would be to allow a transition to a new constitution that would put in place a constitutional monarchy, lift the 37-year old state of emergency and unban all political parties, allow the return of all exiles back to Swaziland, stop the harassment of activists, lift restrictions on the media, and treat the people of the beautiful Kingdom of Swaziland with respect and dignity.

Only then would we say "yes" unequivocally to the question "Is there democracy in Swaziland?"

