

A FILM BY CAMILLA NIELSSON

# DEMOCRATS



## THE CONSTITUTION OF ZIMBABWE

Enacted by the President and the Parliament of Zimbabwe

We the people of Zimbabwe

Convinced that  
justice  
colonialism, racism  
oppression

Existing and existing  
sacrificed their lives during the Chimurenga / Gukurahundi  
and national liberation struggle

Honouring our forefathers and compatriots who toiled for  
the progress of our country,

Resolved to ensure that we trench democracy,  
transparent and accountable governance and the rule of  
law,

Reaffirming our commitment to defend our  
fundamental rights and freedoms,

Acknowledging the richness of our natural resources,

Celebrating the achievements of our people,

Committed to overcome all challenges and obtain  
the national development and progress

and to promote their full realisation and fulfilment.

Good governance shall be based on the following principles:

§1 The State shall adopt an economic policy,  
legislation to develop and ensure competence,  
accountability, transparency, efficiency and

financial prudence in Government and every  
public institution, and in particular

§1.1 appointments to public office shall be made  
on the basis of merit.

*R. G. Mugabe*

*“Even the slyest political satire couldn’t outdo this riveting docu study of Zimbabwe’s troubled coalition government. At once important and impishly entertaining, brightened by the kind of eccentric local color that cannot be forged or imagined.”*

VARIETY

*“Outstanding, urgent, vivid... Finally a film that deserves to be called necessary.”*

NEW YORK TIMES

*“As excellent a documentary about politics as you will ever see.”*

VILLAGE VOICE

*“Some of the most intellectually stimulating discussions on democracy we’ve ever seen in cinema.”*

CRITERION CAST

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All photos by Henrik Bohn Ipsen © Upfront Films.

## DIRECTOR'S NOTE

By Camilla Nielsson



Director Camilla Nielsson at work in Harare, Zimbabwe, 2012. © Upfront Films.

To be granted the kind of access I had, to film as Zimbabwe wrote its constitution, is a privilege most filmmakers can only dream. I've often pondered what would happen if a Zimbabwean came to my country, Denmark, a self-proclaimed pioneer of freedom of speech and asked for permission to film a similarly sensitive political process. I'm sure he or she would be politely rejected. The photo above was taken the only time in three years I was asked to leave the room. Luckily nothing important to my story was missed at that moment. When we had finished the filming process, I asked the protagonists why they had been so extremely trusting of me. They replied: "We were skeptical at first but after a while your camera became an important witness to the process. Almost like a reverse Stockholm syndrome." While *Democrats* currently faces a regrettable ban by the Zimbabwean Censorship Board, I nevertheless hope that this film honourably reciprocates the trust of all the people who participated in its making. A luta continua!



# INTRODUCTION

By Petina Gappah

‘Banned and prohibited in Zimbabwe. Not suitable for showing to the public.’ With this curt assessment, Zimbabwe’s Censorship Board has banned the remarkable documentary film *Democrats*. As with most judgements by judicial bodies and those performing such functions in Zimbabwe today, beyond those cryptic words, there are no reasons given for this decision.

This approach to delivering rulings has been perfected by administrative and judicial bodies in Zimbabwe. They either give no reasons at all or simply avoid ruling on matters by ‘reserving judgement’ for as long as they can get away with. Like all regimes that rule tyrannically while covering themselves with the thinnest veneer of legitimacy, this regime knows full well that justice delayed is justice denied.

The ban could be challenged on the basis that it violates the constitutionally-protected freedom of expression and the public’s right to information. It could also be challenged because it falls short of the requirements of procedural justice.

It is disheartening that *Democrats* should be banned as ‘unsuitable for showing to the public’ in the country in which it matters most. An award-winning documentary film about Zimbabwe’s constitution-making process, *Democrats* has deservedly won worldwide acclaim. It is a monumental achievement, an extraordinary commitment to one

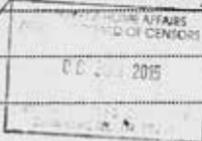
75/1028/15  
Form C.E.C. 1

CENSORSHIP AND ENTERTAINMENTS CONTROL ACT (CHAPTER 78)

**Application for approval of cinematograph film,  
film advertisement or public entertainment**

APPLICATION is made for approval to exhibit the film, film advertisement or public entertainment,  
details of which are given hereunder: *Nature of Act Banned and*

1. Title of film or description of film advertisement or public entertainment and, if applicable, name of  
entertainment: *Democrats* *Prohibited in*



*Zimbabwe*  
*28/07/15*

2. Duration in minutes *99 minutes*

3. Name, address and telephone number (business and residential) of applicant and whether applicant is  
producer, agent or distributor *M. Simangos c/o*



4. Proposed date, time and venue of preview (film/ dress rehearsal) *N/A*

*\* NOT SUITABLE FOR SHOWING TO THE PUBLIC*  
*Prohibited and Banned.*

5. Place of intended performance *Various venues nationally*

6. Date and time of intended performance *Various*

7. I forward herewith the sum of \$ *22015-07-28* in payment of the prescribed fee.

Date of application *06/06/15* Signature of applicant *[Signature]*



N.B.—(1) It must be noted that it is incumbent upon the applicant to make all arrangements for a preview by  
the Board of the proposed entertainment.

(2) Applicants for approval to exhibit films need not complete paragraphs 5 and 6.

Notice of rejection from the Zimbabwean Board of Censors, July 28th, 2015.

small country and its future as well as, on a human level, a finely-drawn portrait of two men tasked with negotiating a vision for the future.

To understand why this film matters, one needs to understand the history of the constitution-making process in Zimbabwe. In 2013, Zimbabweans had the opportunity, not often afforded to nations and peoples, of shaping their vision of democracy through the process of creating a new constitution. In the usual case, a constitution is a document written in the past, leaving it to future generations to parse and ponder over as they mine it for meaning.

Zimbabwe's first constitution-making process produced such a document. The process took place at Lancaster House in London in 1979, a closed-door affair accessed only by politicians and their lawyers, and to which the parties had come under the gun. The negotiations to determine the future of Britain's last colonial outpost in Africa came after a protracted civil war that started after the government of Ian Smith declared its unilateral independence from Britain in 1965.

On one side of the negotiations were Ian Smith and other representatives of the interests of the white settler regime. On the other side, representing the interests of the black majority were Robert Mugabe of Zanu-PF and Joshua Nkomo's ZAPU. Acting as both mediator and guarantor of the outcome was Britain.

These negotiations led to a constitution characterised mostly by compromise. The constitution that was meant to usher in a new country had an almost perfunctory bill of rights. It also adopted

Britain's Westminster model, where the party in government chooses a prime minister, which meant there was no need to impose term limits. As Mugabe's party became entrenched, the constitution was amended an astonishing 19 times over 18 years, with the effect of the amendments being to centre power around the executive while diluting the role of parliament and the rights of citizens both to participatory democracy and under the bill of rights. The amendments also undermined the judiciary: many were enacted to nullify the decisions of the Supreme Court whose rulings on constitutional issues were driven by progressive judicial activism.

Mugabe's apparent invincibility can be traced to the amendment that created an imperial style executive in 1987, with no term limits for the president. Prime Minister Mugabe, serving at the pleasure of his party as *primus inter pares*, the first among equals, became President Mugabe, a man around whom power was centred, but without the term limits which could have constrained it. He became, in effect, a feudal baron with a corrupted sense of noblesse oblige, dishing out positions, farms and other favours to loyalists who then became so dependent on patronage that they worked to keep him in office.

But in Morgan Tsvangirai, leader of the Movement For Democratic Change (MDC), the labour-driven political party formed at the end of 1998, he finally found the man who could unseat him. In 2008, having lost a brutally-fought first round of the presidential election, Zanu-PF executed a ruthless programme of intimidation in Zimbabwe's villages, and killed and tortured civilians. Tsvangirai pulled out of the election, and in a result that was not recognised internationally, Mugabe declared himself president. The crisis of legitimacy created

by that flawed election forced all the parties involved into to a unity government.

So the constitution-making process of 2013 presented the first real opportunity for Zimbabweans to speak and vote on their own constitution. There had been an earlier attempt, in 1999, but that process was viewed with suspicion and accusations of government manipulation, and the resulting constitution was ultimately rejected. The 2013 process seemed to present Zimbabweans, after a decade of political crisis, economic collapse and shrunken hopes, with the chance to reimagine themselves and their country and to reshape the democracy project. Public consultations took place in all the main languages spoken in Zimbabwe. They involved villagers and businessmen, the educated and the uneducated, the poor and the wealthy. Crucially, the views that were given by the population had to be reconciled with the different negotiating positions of the three main parties involved in the process.

That new constitution can, without exaggeration, be considered one of the successes of the unity government. That it happened at all is a tribute to the leadership of the negotiators in the process, most particularly the two men on whom this documentary centres. At the heart of *Democrats* is the relationship between Paul Mangwana of Zanu-PF, and Douglas Mwonozora of the MDC. The striking image used to advertise the film shows the two lawyers and parliamentarians share a joke as they sit inside the Parliament courtyard. This image captures the relationship that developed between them as they tried to reconcile the different understandings of democracy represented by their political parties. The film's director, Camilla Nielsson, has said

that she knew as soon as she met the two men that it was not just going to be a film about a constitution-making process. 'This will be more like a buddy movie, a relationship film, a film about two men in a relationship.'

No one who has seen the film can doubt how beautifully she succeeds. Mangwana and Mwonzora are revealed not only to be passionate representatives and effective negotiators for their parties, but also as genuinely likeable and warm. Indeed, in profiling the good-humoured Mangwana, the filmmaker could be accused of giving a human face to a government that has used political violence and intimidation against opponents. *Democrats* could thus have been a publicity coup for Zanu-PF to show that it had people of quality and competence, in contrast to the corrupt and incompetent ministers that have been recycled in cabinet after cabinet.

Perhaps this is the reason that the film has been banned. Zimbabwe's constitution is an achievement of compromise, moderation and negotiation. Crucially, it is a compromise that was achieved without violence. The reactionary forces within Zimbabwe's ruling party thrive on external isolation. They need Zimbabweans to be in constant turmoil: beyond the language of hate and resentment they have nothing to offer.

The Zanu-PF machinery of persuasion on show in *Democrats* illustrates this beautifully. In the word-for-word parroting by poor villagers of the Zanu-PF line, when it is clear they have not been given enough knowledge to help them fully understand the consequence of all the positions, we see the truly monstrous selfishness of Zanu-PF. Not

only is there a privatisation of a national project, and a poisoning of a process that was to influence the aspirations and wishes of generations, there is also cynical manipulation of the poor and undefended, all to feed the megalomania of a nonagenarian who has been in power for as many years as Zimbabwe has been independent. And in those years, he has managed to destroy not only what he inherited from Rhodesia, but also what he had built himself in Zimbabwe.

The decision by the Censorship Board has a surreal quality to it. In effect, a documentary that shows how Zimbabweans made their constitution has not been allowed to be shown to the people featured in it, and a film on the making of a constitution will itself put to the test the effectiveness of that constitution. It is my sincere hope that a constitutional challenge to this ban will succeed.

There is a scene in my favourite German film, Florian Henckel von Donnersmarck's imperious *The Lives of Others*, where a man monitored by the Stasi regime meets one of its former leaders. 'To think' he says, 'that people like you ruled a country.' I hope the day will come when Zimbabweans can also marvel that we were ever ruled by such men, men who will subvert reason and corrupt justice, simply to hide the truth.

*Petina Gappah is a lawyer and writer from Zimbabwe, with a PhD in international law from Graz University and two other law degrees from Cambridge and the University of Zimbabwe. She is the author of the award winning books 'An Elegy for Easterly' and 'The Book of Memory'. Her latest book, 'Rotten Row', a short story collection, addresses the themes of crime and justice in Zimbabwe.*



# MAKE IT REAL: ON CHARACTERS AND DEMOCRATS

By Eric Hynes, *Film Comment Magazine*, November 2015.

What makes for a good documentary character? Judging from film festival panels and the avalanche of theories, opinions, instructional videos, and listicles that take up this question online, and the examples helpfully provided—hi Morgan Spurlock, hey there R. Crumb, hello again Bob Dylan—you'd be forgiven for thinking that there's actually an answer to this question.

But why would it be any easier to account for what makes a documentary character good than to reckon what makes a person good? Well, you may say, it is easier to account for the quality of a character than that of a person, and you'd be right. Still, it's not a particularly satisfying answer in that it concedes a shoulder-shrugging, broadly defined notion of nonfiction artistry as a reductive practice. Certain decisions can be made in the casting and editing to render a character more or less compelling or interesting, but this implies that there are such things as inherently compelling or interesting characterizations. Yet the minute a character conforms to a pattern of expected or collectively valued behavior, isn't that character... less compelling and interesting?

The same goes for the notion of character motivation, which helps for solving a crime or spinning a mystery yarn, but can be less than useful in nonfiction storytelling. It supports the notion of "if A, then B." Because, why. In this character-driven approach to nonfiction film, the "why" oftentimes supersedes the "what." The shape, the arc, makes

the mess of the moment more knowable. But why make the mess of the moment any more knowable than what the camera in that moment can make it?

This is why, 47 years on, a film like *Salesman* still feels vital and modern. It's not that it's more real or less invasive than other films, it's that something electric, a still-live current, is created when the curiosity and empathy of the filmmakers is thrust against the stubborn, but never complete, opacity of a person at work, play, or in conversation—and allowed to buzz and pop without its meaning and purpose being overdetermined. And it's why recent offspring like *Democrats*, which opened this week in New York, can feel radical despite this venerable lineage.

It's not that there are no characters in *Democrats*, which chronicles a three-year process of drafting a democratic constitution in Zimbabwe, and was directed by Danish filmmaker Camilla Nielsson. Two characters in fact are the focus of nearly every scene of the film: Paul Mangwana, the perpetually grinning chief negotiator for President Mugabe's party, Zanu-PF; and the determined, stoic Douglas Mwonzora, chief negotiator for Morgan Tsvangirai's opposition party, MDC-T. In that respect, the film is "character-driven." But in most other respects, the handling of these characters runs counter to what's typical of a character-driven narrative.

There's no clear development of the characters, outside of how ongoing events affect their strategies and anxieties. We aren't given backstories. We don't know where they come from, what they've done prior, or anything about their personal lives. All that we know is what their



current job is, what and who they represent in that job, and how they go about doing those jobs. It's not that Nielsson forgot or failed to supply us with the rest of the information; rather, she's determined that it's not what's important to her film. Hers is not the only right choice, but her choice does hold significant meaning.

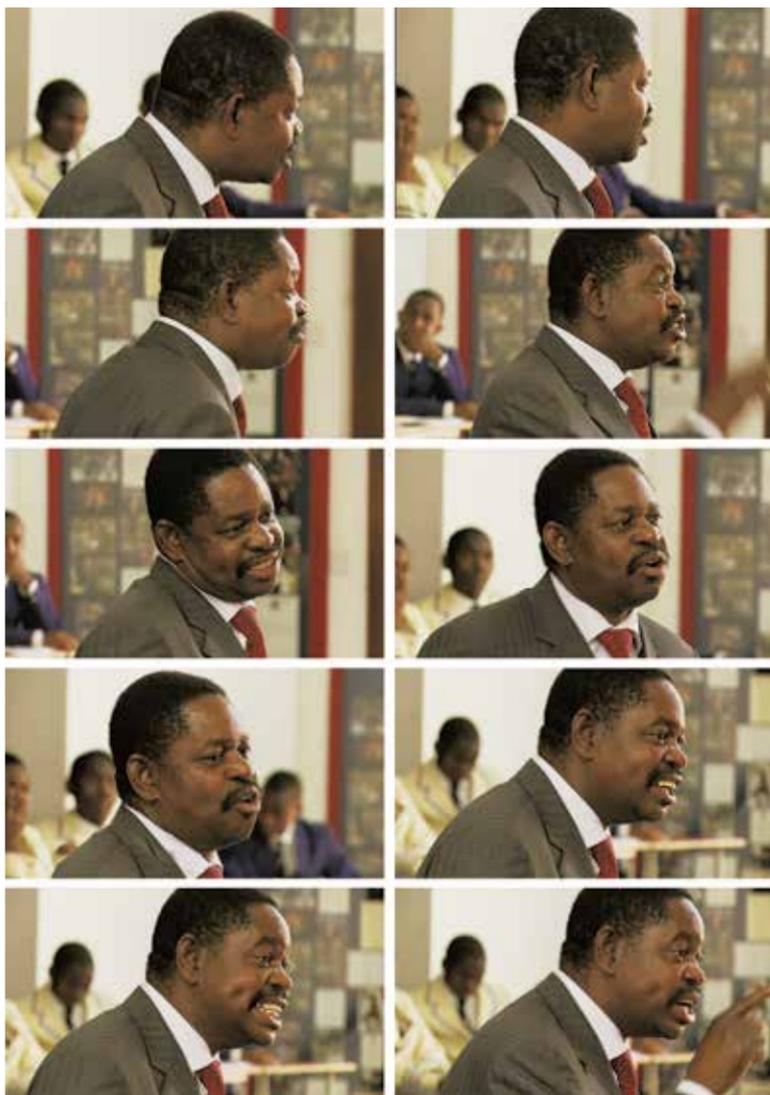
Just as *Democrats* depends on characters without being character-driven in the traditional sense, it doesn't quite eschew the tactic of telling a larger story via a personal one, because the viewer is indeed granted these two men as conduits to the national situation. Yet the movie doesn't elect to make their stories the story, and doesn't insist on making them metaphors for that story either. Mangwana may operate with Mugabe's impunity, but his self-awareness of that impunity, and of the inequality of the fight—expressed through a series of startlingly frank monologues from the driver's seat of his car—makes him ill-fitting as a representative symbol.

Instead, Nielsson asserts that the struggle to author a fair, democratic, and humane constitution for a populace that's long operated without one is plenty compelling enough. The stakes are sufficiently high without having to persuade the audience of those stakes. In fact, overly personalizing the conflict would risk diminishing the stakes to the level of a personality dispute. Many films take this tack, and some do so for an honest purpose. A contrived narrative is often put in the service of a greater, subtler one. But the gambit can risk eclipsing that larger narrative, and giving unique circumstances familiar packaging. We're led to feel, and to relate, but that doesn't always translate to understanding. Or to distinguishing what's particular about the moment being glimpsed from our coaxed experience of it.

It's not as if *Democrats* lacks drama, or that it takes place entirely in conference rooms (though the final section does take place in conference rooms, and it's wildly suspenseful). The film begins with each man traveling around the country to poll citizens about what they want the constitution to include and stipulate, and it unfolds like a prolonged and bitter military battle. Mwonzora arrives at a small village to discover that Mangwana has preceded him and poisoned the well, coaching the people on what to say (basically, that Mugabe should make all decisions now and forever).

Mangwana arrives at a public discussion to discover people revolting against the process, and has to slip away while the crowd violently rocks his SUV. The Mugabe camp busses rural backers into the city to overwhelm and subvert caucuses, which Mwonzora takes to the press. Then when the two rivals start negotiating on the language of the constitution, Mwonzora is suddenly arrested and removed from the process so that Mangwana can ride roughshod over oppositional demands. The audience is told that the charges against the opposition's representative are trumped up and outdated, but never learns exactly what they are. The implication is that to dwell on those details would legitimize them, since it's clear the timing of the arrest was meant to obstruct the process.

It's a dramatic, complicating turn, but within Nielsson's film, only addressed in terms of how it affects the writing of the constitution. The director's dedication to what she sees as the important story here is total, moral, and in a sense, thrilling. Not all complications are built alike, and there's little actual value in "complications" as an object in



itself. Another filmmaker might find a way of finessing the information into the film without derailing the narrative, but Nielsson's approach emphasizes her commitment to telling the story of the crafting of this constitution, full stop. What's missing from the film is a testament to the importance of what's there.

The film often plays like an absurdist comedy, and Nielsson's in-the-moment approach calls to mind David Mamet's theories of acting, which devalue textual interpretation, psychological explanations, and character-driven storytelling. For Mamet, plot is what matters, and it's the action that defines characters rather than whatever's going through their heads as they perform or are subject to the actions.

Yet there's no commensurate plotting in *Democrats*, no strict hand that limits what's said or known at any given moment—just an immensely important process that deserves our attention. And there's plenty to observe in the behaviors and actions of both men to make you curious to know them better, and wonder what they might have been like before the film, and what they might become after their jobs here are done. It's okay to wonder. Being left to wonder isn't a failing of the film. On the contrary, this way I know I don't know the half of it, rather than walking away with the false impression that I do.

By the end, it becomes painfully clear that neither Mangwana nor Mwonzora matter all that much within the context Mugabe's continued reign. The process that we've been observing, and that they've dedicated themselves to, and that the film and filmmaker have affixed themselves to for three years, is largely a charade. That there doesn't seem to have been a point, or effect, is in effect the point. Maybe the constitution

will make a difference to future generations of Zimbabwe citizens, but for now Mugabe is ignoring its tenets—because he can. “I’m in the system,” Mangwana says at one point, asserting his place of power over Mwonzora, a man he clearly respects. “And I know how lethal it is.” It’s possible that in the years after the drafting of the constitution, both Mangwana and Mwonzora have made peace with what happened, have incorporated it into the larger stories of their lives.

Another film might have given us a taste of this as a parting shot, a “life goes on” epilogue. But that’s not Nielsson’s story. And it’s not the story of the failed democratic process in Zimbabwe. It’s only by focusing on the process that we can understand the tragedy of its failure. The correlative isn’t Mamet, of course. It’s Beckett. And it’s important that the Vladimir and Estragon that meet in the beginning are the Vladimir and Estragon we leave in the end. They’re not built on backstories and progress. It’s the waiting that defines them.



# EXTRA MATERIAL

## DELETED SCENES

### 1. NEGOTIATIONS / THE ARMY

President Mugabe has on several occasions used the national army to crush his dissidents. The opposition wants parliamentary control over the army in the new constitution.

### 2. NEGOTIATIONS / LAND

The drafters have proposed a new clause on land rights, which does not explicitly state that President Mugabe's land reform programme is irreversible.

### 3. WAR VETERANS

A group of war veterans has showed up at a press conference at the COPAC office. They are concerned that gay rights will be allowed in the new constitution.

### 4. THE DEBATE CLUB

Paul Mangwana attends the Student Debate Club finals at Prince Edward School. The topic of this year's competition is: Should Zimbabwe increase electoral competition in the next presidential election? Or not?

### 5. EARNEST AVOIDS BOYCOTT

While Douglas Mwonzora is in prison, members of the opposition party threaten to boycott the constitution-making process.

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