



Policy Brief

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Security Sector Reform in Zimbabwe

What, why and how?¹

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INTRODUCTION

On the 15th of September 2008, a power-sharing agreement was brokered between the major political parties in Zimbabwe, namely, the Tsvangirai-led Movement for Democratic Change (MDC-T), the Mutambara-led Movement for Democratic Change (MDC-M) and the then ruling Zimbabwe African National Union–Patriotic Front (ZANU-PF). This Global Political Agreement (GPA) paved the way for the establishment of a Government of National Unity and the reconstruction of the society at large.

The formation of the new inclusive government provides an opportunity for considering fundamental reforms in the provision of security and justice services to the people of Zimbabwe. Over the past ten years, the Zimbabwean security sector has increasingly come into the spotlight as unduly politicised, non-partisan, and as infringing on the human rights of the citizens. This policy brief considers the need for security sector reform (SSR) in Zimbabwe and highlights possible short-term and long-term priorities in this regard.

CONSIDERING SECURITY SECTOR REFORM

SSR has evolved from an application of the post-cold war development agenda, with its emphasis on good governance and democratisation, to that of the state

security structures. SSR refers to reform interventions undertaken within the security sector to address policy, legislation, structural and behavioural matters within the context of democratic ideals, rule of law and respect for human rights. In other words, it concerns the alignment of policies, legislation, structures and behaviours to a human rights-respecting culture; to the adherence of the principles of accountability, transparency, participation, good governance; and the primacy of the rule of law.

The local context is the primary determinant of the range and content of reforms in any SSR intervention. Therefore, SSR in Zimbabwe will be significantly different from SSR in other countries. First, the tenuousness of the current agreement and concomitant fragility of the government of national unity is going to shape both the political impetus for reform and potential extent of reforms. Second, unlike in other post-conflict contexts on the continent, the Zimbabwe public service, inclusive of its security sector, is largely functioning, albeit under precarious circumstances. It is not a question of rebuilding the security institutions from scratch, but rather a transformation of the manner in which they function. Third, the rush of donor funding that accompanied the transition in some other post-conflicts contexts will most likely not be as forthcoming in the immediate future.

THE NATURE OF THE SECURITY SECTOR IN ZIMBABWE

The security establishment in Zimbabwe cannot be viewed in isolation of the broader internal and regional contexts in which it is located. The nature of the Zimbabwean security sector is defined by the inter-play between the colonial institutional heritage, the liberation culture that gave birth to Zimbabwe and the threat perceptions that emerged.

Post-colonial states inherited repressive state security apparatus geared towards the protection of the colonial regime. Many post-colonial governments' security agencies display a notable degree of continuity with that of their predecessor. In Zimbabwe this translated into the development of security structures at the core of state power that were assigned wide powers and were subject to little oversight or accountability. The executive dominated security functions, with the legislature and the judiciary playing largely decorative roles in the governance architecture. This concentration of power and structure of unaccountability reinforced biases in favour of repressive policies.

The influence of the armed liberation struggle on the conduct of state security in Zimbabwe continues to be relevant. By their very nature armed liberation movements operate underground in an environment of intense secrecy. Trust and loyalty form the basis of their interactions. The shared experiences of that struggle informed both who became part of the post-colonial security structures as well as how they interact with each other. The ideology of the armed struggle brought a perceived entitlement to governing the state and to reaping the benefits of power. It was no surprise then that the leadership of the defence and security sectors used the rhetoric of liberation pedigree during election campaigns to provide indication of whom they would accept as Commander in Chief.

The manner in which security and threats have been interpreted in Zimbabwe have impacted on the nature and functioning of the state security structures. At independence, internally, threats emanated from a possible backlash from former white Rhodesians as well as from the contestation between the former liberation movements – ZANU and ZAPU. The external environment was one in which South Africa had

embarked on a campaign of destabilisation within the region and Zimbabwe was at the frontline of that struggle. Zimbabwe's security forces were thus, from the onset, thoroughly ensconced in the dichotomised logic of friend and enemy.

The convergence of these factors led to:

- The skewed orientation of the security establishment towards regime security.
- The over-emphasis on national security/ regime security to the detriment of human security and a human rights culture.
- The non-institutionalisation of accountability and transparency of the security sector towards the broader public.
- The potential for the use of the state security apparatus for political ends.
- The non-aversion to the excessive use of force against perceived enemies.

AN AGENDA FOR SECURITY SECTOR REFORM IN ZIMBABWE: POLICY RECOMMENDATIONS FOR SHORT-TERM INTERVENTIONS AND LONG-TERM OBJECTIVES

The reconstruction of Zimbabwe is crucial for the stability and development of the region. The economic crisis has generated millions of economic refugees seeking opportunities in neighbouring states. The increased strain on the region was epitomised by the outbreak of xenophobic violence in South Africa in 2008. The sustainable development of the region is dependent on the successful transition to a new government in Zimbabwe and to the implementation of its political and socio-economic stabilisation plans.

In the short-term, any agenda for security sector reform in Zimbabwe should balance the requirements for stabilisation with the needs and fears of the security establishment and the people of Zimbabwe. Within the security sector, the initial concern is to ensure that the military cannot play the role of determinant of political fate, i.e., the risk of a military coup must to be removed. Realistic exit options should be considered, especially

for senior staff who have been compromised in the political struggle. This will also open up the space in the defence force to allow for more increased representation and diversity - measures that will in turn contribute to a more legitimate and stable security environment. Such measures may have to be accompanied by some form of immunity in exchange for retirement.

In terms of the middle and lower ranking military personnel, in the short term the emphasis should be on limiting the use of the military for domestic interventions. This will create initial room for the rebuilding of the relationship between the defence force and citizens.

A third short-term imperative is to ensure that soldiers and security service personnel receive regular wages. Amidst the furore of demands that are emanating from the public service, there is a special need to ensure that the bearers of arms do not go hungry. Paying security service personnel will undermine the potential for instability that can be generated by this sector.

Part of the consequence of the erosion of state structures is the lack of internal controls and basic management information. Ensuring that the systems are in place to capture basic human resource information and pay security personnel will limit the 'ghost' worker phenomenon so common in transitional situations.

Similarly, a strategy needs to be developed to prevent militias and war veterans from being able to destabilise the fragile situation. This will entail possible revision of the policies and procedures for the compensation and use of war veterans and youth militia. Moreover, a renewed disarmament, demobilisation and reintegration programme needs to be considered for these groups for they have seemingly become re-armed in the course of the last decade.

Outside of the potential threat of unconstitutional change of government, the next imperative for the unity government is to deal with de-legitimising influences caused by the perversion of justice and misuse of security service providers. The actions of both the police and the judicial system are crucial to realise the goals of the GPA - to make the ideal of building 'a society free of violence, fear, intimidation, hatred, patronage, corruption and founded on justice,

fairness, openness, transparency, dignity and equality' a reality. Unfortunately, it is these very institutions that have been at the heart of the contestation for power and who continue to be implicated in attempts to derail the current government. This has been evidenced in the continued detention of activists and MDC officials as well as through allegations of police involvement in the recent spate of farm invasions.

An end to the perceived impunity, partisanship and the rebuilding of public trust in these institutions is a short-term necessity. As stipulated by the GPA, training for security sector personnel and law enforcement officials in human rights and international humanitarian law should be carried out soonest. Particular attention should be given to addressing gender-based violence. In addition, attention must be paid to strengthening complaints and grievance mechanisms within these institutions. These interventions would go a long way to reduce the abuse of power and would act as confidence building measures.

In the long-term an overhaul of the criminal justice system is going to be required with highly controversial issues such as impunity, vetting and the restoration of judicial independence being addressed. Given the fragility of the current environment and the potential for destabilisation that such measures would entail, the process of reforming the criminal justice system would have to proceed in an incremental manner. In the short to medium term, the focus should be on delivering justice services in a manner that is consistent with international standards and human rights. In addition to ensuring fairness and equity before the law, interventions should focus on ensuring that the human rights of accused and prosecuted offenders are respected from arrest, detention, and prosecution to imprisonment.

The conditions within Zimbabwean prisons, as presented in television documentaries by the BBC and SABC, shocked the world. Immediate interventions need to be made to provide food, clothing and medical supplies to prisons. Furthermore, there needs to be a system developed for the processing and/ or release of prisoners who cannot afford access to legal advice and those who have been detained while awaiting trial. Alleviating overcrowding will reduce the pressure on the penal system to deliver basic services such as food, clothing and medical supplies.

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CONCLUSION

Short and medium term interventions in the security sector in Zimbabwe will need to focus on interim stability and preventing the collapse of the unity government. A further imperative is to support processes, systems and mechanisms for accountability, most particularly to parliament, the auditor general and commissions (anti-corruption and human rights commissions in particular). Opening the space for media and civil society engagement is a first step towards participatory governance.

Comprehensive and fundamental reform within the security sector in Zimbabwe at this point in time lacks political resonance. The changes that can be implemented in the current context will be based on negotiation and concession and may be more reflective of strategic accommodation of political pressures than wide spread democratic reform. Long-term behavioural change and the institutionalisation of accountability, transparency and participation are premised on political commitment and will occur only when it becomes politically necessary to implement such reforms. Until then, the foundation can be laid for future reform through politically palatable, largely technocratic, interventions.

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- 1 This Policy Brief is the first product of a project exploring options for SSR in Zimbabwe. An Occasional Paper on this topic will be produced in July 2009.