

**REVIEWING THE DEBATES ON SECURITY
SECTOR REFORM IN ZIMBABWE AND
LOCATING THE ROLE OF THE LEGISLATURE
IN THE REFORM PROCESS**

A RESEARCH PAPER

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Abstract

Over the past ten years or so, there has been a resounding din of voices calling for security sector reforms (SSR) and the transformation of civil military relations in Zimbabwe as a transitional precondition for the achievement of a stable and democratic community. Unfortunately the security sector reform debate in this country has most often been narrowed to political dimensions where SSR is seen as a way of settling political scores. The tragedy is that the Security Sector Reform debate has never at any point been so intellectually robust as to extricate itself from the salient political ideologies informing it, but has by and large remained a progeny of the national political contest. In this rugged terrain of contestations what has emerged are exclusivistic, parochial and monolithic paradigms of SSR. This paper attempts to review and unpack the general debates and conceptual paraphernalia which has been arraigned to construct the argument for SSR in Zimbabwe. The fundamental question about SSR programs is, who designs and who implements? The institution of Parliament has a constitutional mandate to demand accountability and transparency from security services, determines budgets and policies about the sector, and has a role to ensure democratic representation in the security sector structure. This paper seeks to further explore the role that Parliament of Zimbabwe can play in setting a national agenda and paradigm for SSR in the country which is objective and non partisan.

Introduction: Conceptualising Security sector Reform.

Security sector Reform is generally a concept which was recently introduced in academic discourse, and because of this, it has been shrouded in conceptual obscurity and ambivalence. The security sector generally refers to organisations and entities that have authority, capacity and orders to use force or threat of force to protect the state and civilians.¹ Such institutions include the armed forces, intelligence, customs guards, the judiciary and penal services. This general consideration of the security sector has been challenged as lacking conceptual depth. The broadening of the concept of security during the post cold war era saw non military threats such as political, economic, societal and environmental becoming components of the security agenda and human security becoming an overriding concern. From this perspective, the security sector includes all those sectors and institutions of the state with a formal mandate to ensure the safety of the state against acts of violence and coercion.²

In the 1990's development planners, democracy advocates and a number of experts came to recognise the importance of the efficient provision of state and human security within the framework of good governance. With this, a number of programs were initiated in Eastern Europe in the formerly Soviet republic aimed at streamlining the security institutions in line with democratic norms and principles. The Euro Atlantic models of security sector reform posit that the reform of the security sector is important in promoting peace and good governance and ensuring that the sector is fully transformed so as to gain credibility, legitimacy and trust in the public eye. An inefficient security sector is defined as consisting of such attributes as lack of transparency, a huge budget which is a burden on the fiscus, lacking rule of law, professionalism and subject to rampant political abuse. In their seminal work

1 Sanami Narraghi and Camille Conaway, "security sector reform" , http://huntalternatives.org/downloads/46_security_sector_reform.pdf

2 Heinner Hanggi, Conceptualising security sector reform and reconstruction, <http://oxfordjournals.org/content/1/2/297.full>

Sanami Naraghi and Camille Conaway identified four major dimensions of security sector reform, which are the political, institutional, economic and social.³ The political dimension is principally concerned with the concept of civilian control of the security bodies. The institutional refers to the physical and technical transformation of security entities that is with regards to force structure, number of troops and equipment. The economic refers to the financing and budgeting of the forces, while the social dimension relates to the role of civil society in monitoring security programs.

Reforms in the security sector are basically implemented to tackle two major deficits which are security deficits i.e when there is inefficient and ineffective provision of security and the democratic deficits (when there is lack of oversight and civilian control of the security services). The steps of transformation normally range and include a broad array of activities such as the transformation of the structure of the military and security bodies, reduction of the size through disarmament, demobilization and reintegration exercises, institution of new recruitment and training policies, professionalization and modernisation of the army and the introduction of new skills such as respect for human rights in the security establishment. Over the years security sector reform has gained an established reputation in the development and democratization discourse to such an extent that it has been accepted by major Donor organisations, NGOs, Inter governmental Organization, Multilateral institutions, regional and sub regional bodies as the open sesame and panacea to post conflict reconstruction, democratization, peace building and poverty alleviation. Consequently Institutions such as the World Bank, USAID, Dfid, UNDP have immensely funded security sector reform programs in the third world and Africa as part and parcel of building credible and democratic political institutions.

3 Sanami Naraghi and Camille Conaway, "Security sector reform...."

Unpacking the debates on Security Sector Reform in Zimbabwe.

There has been virtually two major strands of opinion around security sector reform in Zimbabwe. The first strand of opinion which has been championed by nongovernmental Organisations, a host of civil society and academics view security sector reform as the panacea for Zimbabwe's political, social and economic transition. These views concur on the point that SSR is a fundamental component in Zimbabwe's stabilization and reconstruction program. The assumption underlying this first discourse is that SSR is that magic formula that can turn around Zimbabwe's ailing economic and political fortunes. The argument runs that the security sector in Zimbabwe has virtually authored the Zimbabwean crisis and hence the need to depoliticise, re-professionalise the security sector and to demilitarize the Zimbabwean political economy being seen as the blueprint to that ideal political dispensation.⁴ In line with this there has been a series of calls ranging from the formulation of a new national security and defence policy, redefining human security as well as the resignation of certain key leaders of national security institutions, reappointments and a general overhaul of the whole security establishment. This, it has been argued would centre the proposed SSR reforms. Works by various scholars like Chitiyo, Rupiya, Hendricks and Hutton, Nyakudya have all concurred that the security sector reform in Zimbabwe is a precondition for effective political reform and the democratization process. All the works generally agree that there is a security sector governance deficit which calls for radical and far ranging reforms of the whole edifice. Nyakudya in his paper which addresses the challenges and prospects of security sector reform in the Government of National Unity (GNU) argues that since 2008, there was a process of systematic entrenchment of the security sector in the country's political life. This, he

4 See Martin Rupiya, Knox Chitiyo, Hendricks and Hutton works on security sector reform in Zimbabwe.

notes was most conspicuous with the police becoming highly partisan, violating human rights with impunity, torture and intimidation of political opponents and civil activists. In addition he states that the national intelligence was working without restraint and pervading every sphere of public life.⁵ Rupiya identifies the key challenges in the security as being the militarisation of civilian posts in most government departments, whiles Hendricks and Hutton criticise the security sector's fascination with national security at the expense of human security and human rights. These arguments have further proliferated and assumed new and frightening dimensions ranging from high sounding calls for the resignation of service chiefs, equal partition of the security sector in the GNU which latter necessitated the creation of an unprecedented post of Co Minister of Home Affairs, the expansion of the National Security Council and quite recently the inclusion of security sector reform in the election roadmap.

There are a number of serious problems in this argument. Firstly these reform prescriptions are not based on a concrete evaluation of the idiosyncrasies of Zimbabwe's political realities. Zimbabwe is a country that came out of a liberation movement where the political processes are guided by that historical truth. The heads of the security institutions in this country came through the liberation war and are former veterans who answer to a specific ideological persuasion. This is a fundamental fact that cannot be wished away. The Zimbabwe National Army and the other security institutions are grounded in history and the power relations during the armed struggle predictably predetermined the post colonial security apparatus arrangement. This arrangement lies at the core of national identity, existence, ethos and destiny. Consequently any security sector reform agenda which aims at destabilizing this arrangement is a threat to these core values and the national interests so inextricably wound up in the

⁵ Munyaradzi Nyakudya, "Security sector reform in Zimbabwe: Prospects and challenges", http://solidaritypeacetrust.org/download/.../security_sector_reform.pdf

fabric of national historical consciousness.

The politicisation of Zimbabwe's security sector is a natural and predictable outcome of that process as these individuals were first political cadres before being fighters. As such, the logic of the situation defies any SSR process that assumes the possibility of depoliticising the security institutions. Soldiers are political animals, they have a duty to play in the country's political processes and they cannot simply allow political developments not in line with a specific national agenda to go unchecked. Even in the so-called most mature democracies, the military do shape the political terrain significantly and determine policy which best suits the interest of the nation. In the West, the military has been known to exercise various forms of pressure designed to either prevent the government from carrying out policies which the military do not like, or to induce the policy makers to pursue some policies more strongly than the civilians might have wished.

Another fundamental flaw of the Reform argument lies in the emphasis it puts on targeting personalities of certain individuals and institutions. The argument has most often been narrowed to calls for service chiefs to resign and for them to be supplanted by apolitical elements. This in the end subsumes the whole argument in the political discourse where security sector reform is seen as a way of balancing political power, settling political scores and weakening several assumed centres of political power.

In the end, the security reform agenda exposed in these arguments merely amounts to political horse trading and the jostling for uniform distribution of security power. It is not reform which is being called for but partition of the security sector amongst the various poles of national power. The reform proponents are merely calling for a security sector Government of National Unity (GNU). To show the centrality of the political parity consideration in this whole debate

critics who have denounced the Zimbabwean security sector have done so on the basis of its consistent allegiance to a certain party and course of political action, which unfortunately is a natural attribute of any professional army. The problem only surfaces when that political course of action is in conflict with certain expectations. Reduced to its barest meaning security sector reform as can be deduced from these debates is not necessarily depoliticizing the security sector but depoliticizing it to adopt a certain political and ideological standing favourable to those making such calls. Unfortunately, what this basically does is to erode the credibility of the security sector, disengage and derail it from the progressive nation building program and subject it to pervasive manipulation and control making it so inane and vulnerable to abuse by the proponents of the regime change agenda. It is so conspicuous from a very cursory and basic examination of the facts on the ground that the current fascination and fixation on SSR which has dominated civil society and the neo liberal minded academic circles in Zimbabwe is a smokescreen behind which lurks the “regime change” plot. There is nothing original, sincere, or honourable in this argument as they are simply copied, cut from the western text and pasted with amazing parrotry.

The other debate is very much derived from the first one in the sense that it is a reaction to it. This debate out rightly and totally rejects security sector reform as being absurd and unnecessary in Zimbabwe. The proponents of this view argue that the security sector in Zimbabwe is fully effective as can be witnessed by how it has defended this country from all manners of possible threats and hence reform is not important or necessary. This trend of opinion is violently defensive to the point of failing to confront several irrefutable truths. The general trend of opinion has been to dismiss security sector reform as the manifestation of the opinions which regard Zimbabwe as a failed state system with dysfunctional institutions recovering from a conflict process. In short to agree on a process of SSR is seen as agreeing that Zimbabwe is in a

political crisis of such tumultuous proportions as to merit wholesale security reforms. In an opinion piece in the Herald of Friday 17th June 2011 the writer dismissed security sector reforms as a non starter. The argument was that security sector reform should be done as an after conflict process, or to remedy a serious operational deficit within the sector and since Zimbabwe is not a failed state or a state where there is disregard for the rule of law the reforms are not necessary.

The conspicuous malady attending to both debates is that they lack the conceptual ability to transcend the political horizons which imprison them, the inability to comprehend security sector reform outside the political gaze. In the words of one writer, “the current debate on Security sector reform lacks articulation and focus.”⁶ The debate is scattered, misdirected, lacking form and clarity. It has been appropriated into the national discourse in response to political developments, especially the Global Political Agreement with the consequence that it has become fashionable to view security sector reform as an essential component of the so called road map to elections. In short, the debates have not come up with long term plans or policy initiatives for enduring and genuine security sector reform but has merely smuggled in the concept to cosmetize political bargains and ensure a favourable short term environment for the contestation of national power. Security sector reform has become a platitude, or even a clarion call on which the national political elites wish to gain fundamental advantages over the other. It is not security sector reform, that is being wished for, but the gaining of leverage. There is need therefore to craft a separate roadmap for security sector reform distinct from the current election and political driven roadmap. The reforms in the security sector should not be subordinate to the unwilly fascination with the GPA dispensation and election roadmap. In this regard SSR should have its own roadmap that adopts a

6 Wilfred Mhanda, Sunday Opinion, “Charges of armed forces coup baseless”, The Standard, July 31-6 August 2011.

holistic approach and embraces all matters relating to the security sector and the parameters for its transformation.⁷

It is important in this regard to note that security sector reform is not strictly a post conflict reconstruction phenomenon or a remedy for third world non compliance with political ideals. Security sector reform can be initiated in highly developed and consolidated democracies which are internally and externally secure as a way of adapting to the shifting global security challenges, new security requirements or as a reaction to deficiencies in international security governance. After September 11 a number of western governments instituted wide ranging reforms in the security sector to meet the emergent threat of terrorism. Security reform therefore is not necessarily an exercise meant at wholesale dismantling of the existing structures and supplanting them with totally new institutions. It is a constructive, evolutionary process of confidence building, modernisation and consensual capacity building within the security sector. It aims at achieving high levels of efficiency, accountability and inclusive participation in the security apparatus. A security reform agenda therefore need not focus only on political aspects but should expand its gaze to incorporate the physical and technical reform and transformation of the security sector, the modernization of security systems, the abandonment of obsolete technologies, adoption of modern recruitment methods, the financing of the sector which takes into cognisance the various modernization programs and the need to engage and confront the new security challenges. In short security sector reform has to be conceptualised broadly and in this broad conceptualization it is imperative that a holistic and comprehensive model be co-opted, one which goes beyond merely defining and limiting the problem to civilian control of the armed forces.

In this broad view SSR in this country has been happening over the years since

⁷ Ibid,

the adoption of a new security framework after independence. After 1980, the then Prime Minister announced the establishment of a national integrated army of about 35 000 troops made up of two specialised units (Commando and the parachute regiment), four infantry brigades, support corps of engineers, surgeons, signals and logistics. This new army was drawn from the three military factions in the bases and Assembly points, that is ZANLA (Zimbabwe National Liberation Army), ZIPRA (Zimbabwe People's Liberation Army), and RSF (Rhodesian Security forces). During this process of building a national security infrastructure, the British Military Assistance Team (BMATT) played a significant role by running a series of comprehensive courses which capacitated the officer corps. Several fundamental reforms have happened in the security sector. As part and parcel of security sector reform, the broadening of the capacity of the armed forces to handle civilian programs and initiatives over the years has been one noteworthy feature of the gradual evolution of the security sector where armed forces have been involved in programs which seek to address non military threats to security. Armed forces have assisted in disaster management in flooding areas, helped in community projects and in 2005 the military launched "Operation Maguta" whose major aim was national food security through input and technical support to productive and under equipped farmers.

Civilian control of the armed forces is an established precept of Zimbabwe's security arrangement which even dates back to the days of the armed struggle when the armed wing of the struggle was under the leadership of the political wing. The Zimbabwe National Security Council Act creates a platform for civilian control of the armed forces and set the tone for effective security sector governance. Through the Act civilian officials can review national defence policies, give directives to the security services and ensure that the operations of these comply with the constitution.⁸ This Act is key for the establishment of the military political dialogue and civil military relations

8 See The Zimbabwe National Security Council Act, Clause 2 (Functions of the Council).

which will overtime be the centre for transformation of the security sector. In addition to this, the establishment of the National Defence College is one key aspect of the process of security sector modernisation as the college is a consequence of obtaining a global security environment envisaged to serve the national coordination platform and enhance constructive and collective engagements in crafting national defence and security policies and providing senior officers with intellectual tools to address complex defence and national security challenges.⁹ Even then a lot still need to be done in making sure that the security sector is not alienated from the general public, creating platforms of civil-military interaction, reviewing various moribund and old fashioned laws governing the security sector, looking into conditions of service and the overall administration of these.

All in all, these developments must be seen as part and parcel of security sector transformation and gradual reformation. SSR reforms need to be contextualized and the greatest danger is to assume uncritically that the neo liberal prescriptions of SSR consist of a religious set of principles to be applied dogmatically to any circumstances. In actual terms it must be understood that security sector reform very much varies according to the specific reform context. There is a general consensus that there exists no common mode of security sector reform and each reform context is a special case study. In this regard, Owen Greene state:

Every society has its own elaborate set of formal and informal standards on appropriate democratic oversight of each branch and role of its security sector...so it is futile to aim at full harmonisation of norms and standards of democratic states in relation to ensuring democratic accountability and control of the various elements of the security sector.¹⁰

9 Parliamentary debates, house of Assembly, Tuesday 31st May 2011, speech by Defence Minister Emerson Munangagwa before the house on the ratification of the concessional loan agreement between the Government of Zimbabwe and the Export Import Bank of China.

10 Owen Greene, "International standards and obligations: Norms and criteria for DCAF in EU, OSCE and OECD areas", in Miroslav Hadzic and Phillip Flurri (eds), Sourcebook on security sector reform: A collection of essays, Geneva Centre for Democratic Control of the Armed

With this in mind, it must be noted that the adoption of a reform blueprint in Zimbabwe must reflect several pertinent historical and political idiosyncrasies which cannot be wished away. These include the historical background of our security institutions which is so inextricably linked with the war of liberation, the various political values which are core to national integrity and sovereignty as well as the importance of creating viable and truly Zimbabwean institutions. Any reform which specifically focuses on reform as spelt out in the lexicons of development planners and security NGOs with their heavy emphasis on delinking the security institutions from the national political discourse and the quasi-democratization mantra without attempting to capture the national politico-historical pulse will be context deficient and hence irrelevant.

Locating the Legislature in the Security Reform Debate.

Generally security issues are seen as falling under the purview of the Executive and Parliament is seen as having at best little and at worst no role in the setting up of a national security framework. Subsequently in the general evolution and genesis of the security reform debate the legislature has deliberately marginalised itself and remained largely aloof save for a few peripheral and half hearted remarks which cannot and do not constitute a clear position. The IPU handbook for Parliamentary oversight of the security sector notes the widespread belief that security policy is a natural task for the executive as they have the necessary knowledge and act quickly. Parliament tend to be regarded as a less suitable institution for dealing with security issues, especially given its time consuming procedures and lack of full access to the necessary expertise and information.¹¹ Parliament is a non securocratic institution and therefore the critical question is what role can it play in

Forces, Belgarde, 2004, p.105.

11 Inter Parliamentary Union handbook for oversight of the security sector, DCAF, No. 5, 2003, Geneva,

security sector governance or in shaping up the nature and texture of the security environment? The legal framework that provides for the Zimbabwe Defence forces is the Lancaster House Constitution which provided for Defence policies promulgated later by an Act of Parliament as the Defence Act. The existent national legal framework provides mechanisms which ensure civilian control and public accountability of the security institutions. The National Defence policy resoundingly acknowledges the precedence of the constitution, elected civilian authority and Parliament. The National Defence Policy produced in 1997 stated, “civil military relations refers to the hierarchy of authority between the Executive, Parliament and the Defence forces. A cardinal principle is that the Defence forces are subordinate to the civilian authority”.¹² The National Defence Policy, provides that civilians formulate policy and are responsible for the political dimensions of defence and security.¹³ It is in this regard that Parliament has a fundamental role to play in providing for the important military management mechanism. Several Defence Forces branches are established by Acts of Parliament and Parliament makes provision for the organisation, administration and discipline of the defence forces. In addition, the security institutions in this country are subject to the administration of Parliamentary Committees such as the Budget, Public Accounts and Defence and Home Affairs Committees which sensor defence budgets and scrutinise expenditure.

Nevertheless, by and large, the space in security governance in Zimbabwe is the terrain for the Executive where the national security policy legislation, The Zimbabwe National Security Act delegates a monopoly of powers to the Executive in the formulation of national security policy. Consequently the legislature has played a very marginal role in the national security debate and analysis regardless of the fact that parliament has a right to look and have oversight into various ministries falling under the security sector, such as Defence and

12 National Defence policy, Government of Zimbabwe Printers, Harare, 1997.

13 K Chitiyo and M Rupiya, Tracking Zimbabwe’s political History: The Zimbabwe Defence Forces from 1980–2005, http://iss.co.za/pubs/books/Evol_Revol%20oct%2005/Chap13.pdf

Home Affairs. It has become almost axiomatic that security issues are at best given peripheral reference and glossed over and there has not been any robust engagement between the legislature and the security services. This timid approach has resulted in a security sector shrouded in mystery and existing literally outside the legislative oversight. In most cases, most members are not even aware of the pertinent and specific pieces of legislation with regard to the security sector or security institutions, the various activities and mandates of the specific institutions. At one capacity building workshop, members were not even aware of the existence of national security policy legislation, its importance and implications, let alone how they as legislators could relate to these pieces of legislation. A far more critical case is how most members even lack the knowledge concerning the functioning of the various security institutions in the country. In short, the gulf between the security sector institutions and members of parliament is so vast. A general example of this lack of interaction and involvement is the fact that the last report produced by the Portfolio Committee on Home Affairs and Defence was in 2003, and this report was just a general summation. Since then the House is yet to receive any other report. With such a scenario of disengagement and limited involvement, it therefore becomes imperative that the first step towards the adoption of a security sector reform blueprint is the active participation of the legislature in security affairs.

The legislature must champion the adoption of a blueprint of security sector reform, that is the process must be initiated by legislators who must clearly outline the key issues to be dealt with. The starting point in this whole process is to initiate a process of reform which does not leave the security sector out. Any reform process must by all means engage and solicit for the active participation of these departments, where parliament should liaise with them, get to recognise their major concerns and reform priorities. Such an approach therefore has the greater advantage of not being politically subjective

but objective and well reasoned out. The fact is Parliament cannot craft a security reform agenda without involving the key segments of the sector. The means of interaction may include inviting the stakeholders to oral evidence hearings, public hearings and consultations at various levels where the chief concerns of the key players are noted. Knox Chitiyo notes:

dialogue is a prerequisite in building a vision and a roadmap for defence and security in Zimbabwe. It is vital to begin an open discussion within the military, and between the military and the citizenry on what they see as the primary roles of the security sector in Zimbabwe, and to gauge mutual responsibilities and expectations.¹⁴

The adoption of a security sector reform agenda which clandestinely tries to smuggle in concepts about reform without consulting the key sectors is bound to suffer a lot of resistance because it lacks transparency and inclusiveness. Normally, such reform agendas are replete with political attitudes and these in the end result in confrontational responses and engagements.

The other aspect where parliament can play a critical role is over reviewing existing security legislature in the country and ensuring that these are consistent with the changing security dimensions and dynamics. The concept of security is shifting and undergoing various qualitative and quantitative changes which entail the need to as well to shift various pieces of legislation to make them conform to these challenges. New global security challenges like terrorism, drug trafficking, human trafficking, climate change all require more nuanced and specific security legislation to deal with. The legislature must identify legal vacuums and come up with various recommendations in line with these. For instance Zimbabwe's legislative framework is not adequately structured to deal with human trafficking, drug trafficking and counter terrorism. In addition, the training of security personnel to best handle these issues is critical, hence the need to engineer relevant national security laws.

In this whole process also, the mistake must not be made of relegating the views

14 K Chitiyo, The case for security sector reform in Zimbabwe, Occasional paper, http://rusi.org/downloads/assets/zimbabwe_SSR_Report.pdf

of civil society or simply treating them with contempt. It must be noted that a continuous process of interaction, through the exchange of ideas is a precondition for positive input and outcomes. Civil society groups like the media, research institutions and NGOs has a critical role to play in shaping the reform terrain by making recommendations, helping in capacity building and funding the various projects and programs aimed at transformation of the defence forces and other security institutions. Considering civil society and non security forces also as component parts of the security reform help in transcending the essentially state centric nature of the concept which in a number of instances assumes that an absolute monopoly over the means of coercion should rests with the state and its institutions. In most countries where security sector reform has had resounding successes like Ghana and Mozambique, NGOs played crucial roles.

Conclusion

This paper has argued from a holistic point of view and shown that the concept of security sector reform need not be a contentious issue, but rather should be part and parcel of national political dialogue. Security sector reform must be viewed as a progressive evolutionary and dialectical process which should involve cross political interaction, robust engagement, and creative thinking about security. It is a consultative process imbued with confidence building and conflict prevention mechanisms. In this regard, it is essential to deconstruct all erroneous political conceptualizations of security sector reform, to discard the faulty rationalizations and perfidious expositions of security sector reform which are so myopic as to limit the idea to mere balancing of political power or to settling political scores. A national paradigm for security sector reform must be initiated by the legislature and this must prioritize the views and conceptions of the security institutions. It must also be based on a national consultative process where civil society and other relevant voices are consulted. In addition the legislature has a role to initiate pieces of

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legislation in the house to ensure that the security sector remains abreast with the new global security challenges.