

**FROM STATE SECURITY TO HUMAN
SECURITY IN SOUTHERN AFRICA**

**POLICY RESEARCH AND CAPACITY
BUILDING CHALLENGES**

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CHAPTER 1

INTRODUCTION: FROM STATE SECURITY TO HUMAN SECURITY IN SOUTHERN AFRICA

Cheryl Hendricks

This monograph brings together a collection of edited think pieces presented at a workshop aimed at identifying policy research and capacity-building needs to enhance human security in Southern Africa. The workshop was hosted by the Southern Africa Human Security Programme of the Institute for Security Studies, and held at the Slave Lodge, Cape Town, on 1-2 December 2005.

Human security is the dominant discourse within international, regional and sub-regional organisations tasked with security and development. It has displaced the traditional state security paradigm with its preoccupation with protecting national interests and state borders through the projection of power. Although the basic tenets that constitute the human security paradigm can be traced to various alternative approaches voiced on development and security, it was the United Nations Development Programme's (UNDP) Human Development Report of 1994 that gave concrete expression to, and was later used to popularise, this approach to security. That report, drawing on the UN's Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, employed the phrase 'freedom from want and freedom from fear' to advocate a people-centred approach to security, to link development to security, and to broaden both the identification of possible threats and the actors responsible for producing and resolving insecurity.

The Southern Africa Development Community (SADC) has integrated the human security approach into its constructions of, and policy frameworks for, peace and security. Southern Africa, a region defined by its anti-colonial and civil wars, is undoubtedly enjoying an unprecedented measure of peace and stability, despite continued tensions in Zimbabwe, Swaziland and the Democratic Republic of Congo (DRC). Peace agreements in Mozambique, South Africa, Angola and the DRC created an enabling environment for democratisation and development to take root. However, the 'peace dividend' has yet to materialise for the vast majority of citizens in Southern Africa. The road map for transforming these states and the everyday lives of their citizenry has been drafted in the many

protocols, policies and strategic frameworks, and much of the institutional apparatus is already in place. Yet, there remains a marked disjuncture between the region's goals and aspirations, and the implementation and/or outcomes thereof. The often-stated reasons for this are lack of capacity, resources and political will. However, in the absence of contextualisation, these reasons remain vague and, therefore, without the specificities for redress.

This monograph broadly sets out to (1) unpack the conceptual, methodological and institutional issues that emerge from the adoption of a human security perspective; (2) indicate some of the major human security challenges confronting Southern Africa and; (3) highlight the implications for policy research and capacity-building in the region.

Why human security?

Concepts, perspectives and/or paradigms do not emerge into a vacuum. They gain currency because they are able to better account for existent realities and they enjoy legitimacy because they resonate with the dominant ideology. Peace, democracy and development emerged as the key pillars of the post-Cold War security framework. Development perspectives had, since the late 1980s, blamed the lack of development on domestic governance issues. The violent eruptions of internal conflicts in many African countries, in the late 1980s and early 1990s, served as confirmation of the lack of good governance and democracy as primary explanatory variables for conflict. The state was thus posited as instrumental in creating conflict and insecurity.

The 1990s was also the period in which the 'hyperglobalists' and 'post-modernists' were making their intellectual debuts. They offered poignant arguments about interdependence, the irrelevance of the state, and the view that nationalism and sovereignty were dated. Conceptions of national security were therefore, by extension, also dated. These arguments dovetailed with the emergent neo-liberal discourse on structural adjustment measures and the need to limit the role of the state in favour of that of the market. The discourse on human security emerged within this structural and ideological complex and, therefore, elements within it reflect these theoretical preoccupations. However, the human security paradigm holds currency primarily because of its expanded definition of security, its focus on the 'root causes' of conflict and integrative, multi-actor conflict prevention, and post-conflict resolution standpoints.

What is human security?

The 1994 UNDP Human Development Report noted that human security is an integrative concept that must stress the security of people. It contended that the concept of security needed to change from an exclusive stress on national security to a much greater stress on people's security; from security through armaments to security through sustainable human development.¹ The report identified a list of perceived new security threats, namely, economic, food, health, environment, personal, community, and political security.

In essence, the human security approach seeks to fundamentally question, and alter, whom we protect and how that protection is afforded. The approach takes individuals, rather than states, as its referent, and emphasises the need for a holistic, long-term view of security that includes the redress of structural inequities (or in Galtung's terminology 'structural violence'). It identifies different levels of security, viz, personal, community, national and international, and argues that their interdependence implies that insecurity in one sphere has ramifications for other spheres – it is therefore not a case of 'one at the expense of the other'. The primary role of the state is to protect its citizens, but, given past experiences, this cannot be left as the sole preserve of the state. International and regional organisations have the responsibility to intervene and protect when human lives are under threat and any sustainable transformation has to include civil society in the formulation and execution of conflict prevention and post-conflict reconstruction agendas.

Part of the difficulty in implementing a human security perspective is that:

- It requires operationalisation (measures for knowing when it is deemed to exist and mechanisms for its achievement),
- It necessitates an interrogation of power relationships (where power is located and how it is exercised);
- It forces us to reconstruct the ways in which governments, intergovernmental organisations, civil society organisations, and researchers function (forming partnerships rather than functioning in silos);
- It requires that citizens change their perception of their own responsibilities, and in addition;

- Implementing a human security perspective necessitates flexibility to deal with, and accommodate, changing and often competing needs.

State security (the absence of external or internal threats) is far easier to measure than individual security. However, the Millennium Development Goals (MDGs) provide the yardstick of minimum requirements for community security and if we meet these we are well on our way to creating a safer world. It is evident that, for example, the choice of political parties is important, but its relevance is diminished when basic human needs are not met, i.e. when people do not have access to clean water or sufficient food; when they fear for their lives because of high rates of crime; when their human rights are subject to continuous abuse; when they lose their dignity because of unemployment or rape; or when they die from preventable diseases.

An integrated approach, per definition, means that the various states, government departments, and civil society organisations need to work together to achieve the best results. Virtually all the new policy frameworks on the continent recognise that this type of approach is essential, but in reality, the priorities of these various agencies often differ, resulting in competing interests and ultimately in ineffective delivery. It will take time and effort to alter this modus operandi because vested interests have taken root. The next step is to identify the stumbling blocks that hinder co-operation. How do we foster better co-operation between government departments? How do we facilitate meaningful interaction between governments and civil society and/or NGOs (especially in Southern Africa where there is heightened suspicion of NGO's)?

Too often, power is removed from our analysis. Yet, power is central to unpacking the types of policies that emerge and how they are implemented. Who makes decisions? What influences those decisions – who, or what, are the power brokers responding to? It is only when we have a better understanding of these processes that we can more meaningfully begin to advocate change that benefits all citizens. Gender-based violence can be used as an example of how this works. South Africa has some of the most advanced laws/policies for the empowerment and protection of women yet the level of gender-based violence continues to increase. Key policy-makers have responded to international and national pressure to address gender-based violence, but those charged with implementing the policies appear less committed to the exercise. Or perhaps they face serious challenges in performing their duties. One of the policy researcher's roles should be to examine why these discrepancies occur and suggest ways of redress, using far more complex techniques than before.

The roles and responsibilities of those in positions of power must be vociferously and clearly articulated, i.e. the responsibility to serve rather than the right to rule. It is here that the responsibility of civil society and citizens resides: to continuously ensure that the needs of the people are prioritised. By virtue of the nature of our societies, we need strong, responsive, development-oriented states and we need responsive, engaged citizens. But, more importantly, we need to identify the mechanism and processes through which this vision can materialise.

Challenges to human security in Southern Africa?

The *raison d'être* of SADC is the creation of peace and security, and economic and social development through regional integration. Over the past few years, SADC has engaged in an extensive exercise of restructuring and developing new strategic frameworks. SADC moved away from the decentralised sectoral approach to regional integration and established four directorates (clusters), which also indicate SADC's emphasis, namely, Food, Agriculture and Natural Resources (FANR); Social and Human Development and Special Programmes (SHDSP); Trade, Industry, Finance and Investment (TIFI), and Infrastructure and Services (IS). SADC also set up HIV/AIDS, Statistics and Gender Units. Peace and Security were to be dealt with by the Organ on Politics, Defence and Security Co-operation. The Regional Indicative Strategic Development Plan (RISPD) and the Strategic Indicative Plan for the Organ (SIPO), which are viewed as complimentary documents, set out the objectives, priority areas and strategies of implementation. When we take into account the policies, principles and programmes of the AU, NEPAD and SADC, we can conclude that the leaders on this continent, and in this sub-region in particular, have gone a long way toward putting in place the normative and policy frameworks for creating peace and development, and ultimately human security.

In some areas, progress has undoubtedly been made. Most of the interstate conflicts have been managed via negotiated settlements; Demobilisation Demilitarisation and Reintegration programmes are in place; trade between countries and the movement of people has increased and so has investment, especially in countries endowed with minerals. There has also been growth in the GDP of countries in the region. However, the inequality between states and within states is widening; poverty is increasing in most countries and food shortages abound; the incidence of HIV/AIDS and tuberculosis continues to increase; the widespread use of small arms and organised crime and money laundering persists; refugees and internally displaced people still

present major problems; violence against women and children and human trafficking is on the increase; human rights abuses and electoral irregularities are still common, and so the list continues. These are the issues that directly affect human security. One can argue that the time frame between the formulation of the new agenda and the implementation phase has been relatively short, i.e. development is a long-term process. This may be valid, but one should equally ask whether state security is being prioritised at the expense of human security concerns, whether policies are actually being implemented, and to what effect? What kind of policy changes and implementation practices need to be effected? A crucial part of the policy formulation process is the feedback loop. Are effective monitoring and evaluation systems in place in the region?

Elling Tjonneland, Jan Isaksen and Garth le Pere's study of SADC, for example, indicates that the organisation is institutionally weak (staff shortages, limited capacity) and that the reform process was characterised by a

...lack of transparency, poor communication and a failure to engage properly with key stake holders in civil society and the private sector...[and] member states are reluctant to give up some of their national sovereignty for a future common good. Nor do they necessarily share the same political outlook on major challenges facing the region.²

Le Pere and Tjonneland also contend that while SIPO

...endorses a broad understanding of security through its focus on governance and democratisation issues as well as hard defence issues... behind the agreement we find divergent opinions and approaches to these issues. State security issues preoccupy some governments in the region, while others emphasise human security.³

These divergences will inevitably occur. The more important questions are: How are the divergences being managed? How does the process affect the implementation of policies? And how do we move to greater consensus on issues? Zimbabwe and Swaziland should serve as case studies for research of this nature.

Colleen Lowe Morne's work⁴ on the representation of women in Southern African governments indicates that while the region have shifted from a 30% quota to gender parity, in some countries the percentage of women in parliament, previously well below the target, has actually declined. Can we

blame lack of capacity or resources? Or, does 'power politics' still largely override the human security agenda?

The continued insecurity in the region, it could be argued, is due to the lack of follow-through on policies and decisions, the lack of co-ordination and harmonisation, the still largely top-down approach to policy-making and development, and other similar features. If there is a commitment to implementing the visions embodied in the numerous policy documents, we need to find new ways of organisation, collaboration, and interaction. This is because policies will only materialise when there is a critical mass of implementers endowed with, and enthused by, the epistemologies that informed the policies in the first place. The cross-fertilisation between policy researchers (beyond the policy research desks of government departments), and those who make and implement policy should be taking place to a much greater extent. The work produced by policy researchers has limited impact if it does not reach those it is intended to reach. Similarly, policy-making has to be informed by substantive research.

A plethora of data has been generated on almost all the issues relating to human security. Without diminishing its value (since research is conducted for a host of other reasons besides informing policies), we need to ask whether this is the kind of information that policy makers need to inform their decisions. Are we asking the right questions? Are researchers critically analysing policies on the basis of field-work data and making suggestions for reformulation or changes in implementation? If they are, is it distributed in ways that are easily accessible to policy-makers? If, for example, the argument is that a lack of political will or capacity impedes implementation, where are the capacity audits? How does the lack of political will manifest itself, in which areas, and in whom? Where are the comparative studies we can use to draw out lessons learnt, or not learnt? More importantly, how do we begin to pool resources to gain maximum benefit from the expertise that does exist?

Policy research and capacity-building in Southern Africa

Together, the collection of 'think pieces' in this monograph, highlight the gaps in research, and where capacity-building initiatives should be concentrated. They span a number of thematic issues, namely, re-thinking human security, gender-based violence, the relationship between development democracy and security, restructuring of the Organ and civil-military relations, and an evaluation of the SADC's Guidelines and Principles for Elections and

Election Observation. The case studies on Botswana, Zimbabwe and Malawi point to the salient issues of democratisation and state-building, corruption, food security, and HIV/AIDS. We hope that this monograph, which should be read in conjunction with the workshop report, initiates a fruitful dialogue between policy-makers, civil society, and researchers on ways to address the growing human security concerns in the region.

Notes

- 1 UNDP, *Human Development Report 1994*, New York, Oxford University Press, 2004, p 24.
- 2 EN Tjonneland, J Isaksen and G le Pere, *SADC's Restructuring and Emerging Policies: Options for Norwegian Support*, Report commissioned by the Norwegian Embassy, Harare, CHR Michelsen Institute, 2005, pp v-vi.
- 3 G le Pere and EN Tjonneland, *Which Way SADC? Advancing co-operation and integration in Southern Africa*, Occasional Paper 50, Johannesburg, Institute for Global Dialogue, 2005, p 37.
- 4 C Lowe Morne (ed.), *Ringling up the Changes: Gender in Southern African Politics*, Johannesburg, Gender Links, 2004.

CHAPTER 2

RETHINKING HUMAN SECURITY: THE IMPLICATIONS OF GENDER MAINSTREAMING

Desiree Lewis

Introduction

Traditionally, human security has been explored using gender-blind notions of individual, communal and national wellbeing. Although gender is routinely invoked in current scholarship and practice, its inclusion is often formulaic and ad hoc. Frequently, 'gender' is mechanically equated with 'women', and the writers tend to add women to existing accounts by superficially and erratically invoking their experiences.

What, therefore, are the broad theoretical, conceptual and methodological implications of gender mainstreaming in discussions about human security? The challenges are vast, although feminist interventions – while still marginalised in malestream discussions – have grown steadily. What follows is an overview of some salient areas that warrant scrutiny if gender is to be mainstreamed in human security studies. The three areas identified raise the need for far-reaching conceptual, theoretical and methodological explorations. They highlight the fact that gender mainstreaming does not simply entail appending 'gender' to existing studies; an effort must be made to redefine mainstream thought and practice on human security.

Expanding the notion of 'human security'

Sexual violence, although rampant in so many societies, has been labeled a private and domestic matter that falls outside of public discussion and much of the human security discourse. Yet the most basic security, bodily and personal integrity, is denied to those women of different classes throughout the world who have experienced sexual violence. Guaranteeing women's human security requires that we be open about, and challenge, the many forms of gender-based violence in our diverse societies. It also involves rethinking the circumstances, practices and relationships that affect the human security of over half the world's population.

Many of the practices that determine women's human security are connected to the private realm and to domestic and interpersonal relationships. For

example, 'home' for many abused women is a site of profound insecurity, and violence within the home totally contradicts conventional views that associate danger and risk with public spaces. Those familial and marital relationships in which incest and wife-battering routinely occur must encourage us to rethink conventional assumptions about which actions violate human security, and the contexts in which these violations happened. Generally, holistic thinking about security requires us to consider safety within domestic spheres, safety from violence perpetrated by partners, husbands or fathers, safety at places of work, and the safety that allows women to in participate as full citizens.

This expanded understanding of human security pushes back the boundaries of security studies, and can encourage us to rethink many basic concepts in security studies discourse, such as 'conflict', 'peace' or 'aftermath'. In fact, in an article provocatively titled, 'There is no aftermath for women', Sheila Meintjies, Anu Pillay and Meredith Turshen point out that the notion of 'post-conflict' for women is often a misnomer when we consider how pervasive gender-based violence is.¹

Gender-based violence has become an increasingly visible issue in international lobbying for human rights. Several provisions within Convention for the Elimination of all forms Discrimination Against Women (CEDAW) apply to gender-based violence and the Beijing Platform for Action provides a discourse and strategy for responding to it. The Vienna Declaration and Platform for Action on Violence Against Women calls on governments and the United Nations to take action against such violence, while the SADC Gender Declaration Addendum on the Prevention and Eradication of Violence Against Women commits governments in the SADC region to addressing violence through legislation, budget allocation, education and service provision.

All these documents imply mounting international action to correct the historical silencing of sexual violence. Yet the trend has been to turn gender-based violence into a sectoral concern, rather than to treat it as being integral to broad considerations of human security. It is revealing, for example, that a recent ISS publication, *The Many Faces of Human Security: Case Studies of Seven Countries in Southern Africa*,² does not touch on gender-based violence, despite the fact that this region's incidence of rape and domestic violence are amongst the world's highest, and despite the fact that much research and advocacy has been done in this field.

Taking gender-based violence into account extends conventional understandings of human security. It can also deepen investigations of the

gendered dimensions of subjects more frequently explored in human security studies, such as militarism, ethnic formation and conflict, and nationalism. It is noteworthy that one of the most influential analyses of the Rwandan genocide, Mamdani's *When victims become killers: colonialism, nativism and the genocide in Rwanda*,³ systematically ignores gender themes such as masculinity, patriarchal ideologies or links between sexual ascendancy and political power.

Yet, as various commentators have shown, conflicts in states like Rwanda are deeply rooted in gender relations, identities and ideologies. In particular, gender violence, in the form of rape, sexual torture and sexual slavery, has played a central part in 'ethnic cleansing' and the definition of collective identities along gendered lines. This not only leads us to consider how women experience unique forms of violation during war. It also indicates that gendered identities are central to the formation of other group identities, such as national and ethnic identity. Fully understanding and responding to patterns such as militarism and ethnic conflict therefore require an exploration of gendered identity-formation.

A perspective that takes into account gender-based violence unmask the limited understandings of human security, and involves introducing new contexts, concepts and relationships into the human security discourse. Integrating human security work with gender-based violence, whether in the form of research, networking or advocacy, would involve institutes and centres networking with women's organisations (i.e. networking at the local level, rather than solely in terms of inter-agency or inter-state collaboration, or through the high-profile, international networking on which many security studies centres seem to concentrate). Or it would involve systematically addressing studies of gender-based violence (studies which shift the emphasis of politics to the personal, the immediate, the everyday, and away from what is large-scale, national and momentous). And, this, in view of the origin of human security in emphatically masculine and state-centric political studies or security studies, would entail a significant paradigm shift.

Important factors in analysing human security

The emphasis on *human* security during the past decade has introduced a people-centred emphasis and involved a movement away from the previous fixation with the threat of nuclear holocaust, territorial boundaries and state-centric and militaristic solutions. Human security involves focusing on individuals and recognising the diverse factors that pose threats of want

and fear, which includes states, internal conflict, human rights abuses, environmental deterioration, poverty and oppression, and disease and malnutrition. Attention to these diverse factors has generated a growing radicalism in security studies.

At the same time, however, human security agendas are being defined by policy within the framework of multilateral governance and neo-liberal globalisation, as reflected in the growing use of the term 'human security' by the United Nations since its Human Development Report of 1994. Canada, as an advocate of 'soft power', has often been recognised as leading the non-militaristic and progressive human security approach. In contrast to the United States' militaristic approach to foreign relations, the Canadian approach seems critical of the global order and of methods driven by donors and the West. Yet, it is important to recognise the limitations of even Canadian-type progressive approaches. For example, Rosalind Boyd raises the problem of how the Canadian government's commitment to human security can coexist with the growing clampdown on refugees and asylum seekers in recent years.⁴

The important point here is that human security discourses have multiple origins and manifest many political and ideological ambivalences. In particular, as a field of policymaking and research, human security agendas have been very vulnerable to state and multilateral policymaking that sets limits on which freedoms are important to human security.

Neo-liberal economic models and market-driven policies are intensifying poverty, food insecurity, and economic exclusion for the majority. At the same time, US-driven military intervention is playing an increasingly dominant role in multilateral policy. Certain human security discourses often reflect, even if indirectly, these conservative trends. Gendered perspectives can invigorate the radical edge to human security studies and guard against the danger of its becoming a field of conservative and largely ameliorative policy-making. In fact, feminist interventions in traditional security studies have been central to the revolutionary thrust of critical security studies. As Heidi Hudson shows in her article, 'A feminist reading of security in Africa'⁵ feminist critics, like Cynthia Enloe,⁶ pioneered the shift towards a much more inclusive and incisive understanding of the factors that impact on human security. Gender theories have been important for two main reasons. One is that they have focused attention on marginalisation and power. While it is often believed that gender theories focus simply on relations between men and women, gender theories have also developed tools and concepts for examining hidden and marginalised forms of power.⁷ They investigate how

particular individuals and groups, even within subordinate collectives, are marginalised and disempowered by, and in relation to, others. They also show how different social, cultural, political and ideological levels all come into play when understanding power relations.

This interdisciplinary insight into power at the micro-level, and into the diverse ways in which power is reproduced, is enormously important in shaping human security approaches that fully confront people's everyday experiences of oppression and fear. Here it is important to stress again that security studies emerges from a political science discipline that neglects the cultural, the ideological, and the everyday in favour of the macro-level and politics in the grand sense. An interdisciplinary emphasis is crucial to correcting this.

Another important way in which gender theorising energises security studies results from its emphasis on intersecting identities. Gender research, especially in the past decade or so, has stressed that gender identities are always related to others, and has been at the forefront of the analysis of myriad levels and forms of domination and injustice. Gender theorists working on development, like Maxine Molyneux, have initiated nuanced understandings of how gendered individuals have strategic needs and immediate wants, and raise provocative ideas about how these relate to short-term and long-term security.⁸

Within southern Africa, gender researchers (including Elaine Salo, Pat McFadden, Marjorie Mblinyi, Ruth Meena and Rudo Gaidzwanwa)⁹ have developed pioneering studies of, for example, masculinity and militarism; sexual rights and HIV/AIDS; development; and how Southern African states have circumscribed human rights. All of these writers examine gender in relation to a host of other factors, including colonial histories and neo-liberal globalisation; legacies of militarism in the region; structural adjustment; and post-colonial state consolidation. They therefore echo the view of many third-world gender scholars who insist that gender cannot be examined in isolation, that it is always enmeshed in layers and histories of power and injustice.

Although Southern African gender scholars provide important interventions in mainstream thinking about the key subjects of human security – the state, poverty alleviation, human rights – their work has generally not been integrated into core thinking about human security. In fact, Southern Africa since the mid-1990s has developed an especially rich tradition of gender scholarship, especially from Zimbabwe, South Africa and Tanzania. But

this work tends to be debated, disseminated and published in spaces that are peripheral to the Southern African social science and human security studies mainstream.

This work offers context-specific, well-grounded, multi-dimensional and interdisciplinary analysis that seems essential to human security studies today. Overall, the idea of ‘intersectionality’ – intersecting experiences, circumstances and identities in gender research – offers an important entry point for taking up the challenge of dealing with the vast array of political, economic, social, ecological and other factors that affect human security.

The impact of such context-specific analysis is well demonstrated in work on HIV/AIDS. It has been shown that women are less able to protect themselves from HIV/AIDS, or from the sexual violence that may expose them to the virus. Economic dependence worsens their vulnerability to infection from partners to whom they are financially bound. Moreover, women usually have inferior access to health care and treatment for themselves, but bear the burden of caring for the community. Social constraints may prevent them from speaking out while simultaneously condoning male sexual norms that place women at risk. These are all crucial factors that foster the spread of HIV/AIDS among women and men, and allow it to reach epidemic proportions, resulting in the rapid erosion of communities and societies. What is noteworthy about these sorts of investigations is the effort to grapple simultaneously with a range of complex issues – the attention to class, gender and culture all massively expands a narrowly sectoral approach to HIV/AIDS.

Some have argued that human security studies have become too diffuse and broad. Others feel that this breadth is precisely what energises conceptual and political debate. Gendered theory and analysis, with its careful attention to power, its efforts to deconstruct wide-ranging forms and levels of power and domination, is vitally important to increasing the breadth of human security approaches.

Engendering ‘peace’

It has been said that definitions of peace are often gender-blind and ignore the everyday gender violence that affects vast sections of the world’s population. Within the framework of conventional definitions of peace, however, it has been acknowledged that women, because of their socially determined roles, can play distinctive parts in peace-building and peacekeeping. Because women often manage the household and are directly responsible for the

survival of their families, they often suffer most during violent conflicts and wars. They also often carry the burden of supplying the demanding care-giving and household/community management needed during times of conflict.

It has also been argued that working-class, rural and peasant women are usually directly involved in peace-building, although the responsibility for formal peacekeeping in Africa remain vested in men and socially privileged groups. The belief that women's social roles encourage their uniquely humane perspective is also at the heart of arguments that emphasise women's superior abilities as resource managers and conservationists.

The view that women's experiences and perspectives form some kind of corrective to masculine militarism has been important to arguments in favour of making women central to peace-building. Since the early 1990s, this view has resulted in numerous women-centred peace networks and initiatives in Africa. What remains a challenge, however, is for these to be fully connected to the dominant top-down, state and multilateral government-led peace-building initiatives. Some examples are:

- *Femmes Africa Solidarite* (FAS), formed in 1996 as a women's peace organisation which focuses specifically on women's leadership in the prevention and management of conflict;
- The Federation of African Women's Peace Networks, formed at a Pan-African Conference on Peace, Gender and Development in Rwanda in 1997;
- The Association of Mozambican Women for Peace (MWFP), which played a crucial role in ensuring peaceful elections in Mozambique in 1994; and
- The African Women's Peace Table, launched in South Africa in 2000.

The view that women have a central role to play in peace-building has been adopted even by the United Nations, which accepted (in terms of a Security Council Resolution in 2000) that gender should be mainstreamed in peacekeeping. But it is important to guard against essentialism, and to acknowledge that women have and continue to play leading, aggressive, militaristic and combative roles in conflict and war. Current feminist approaches to peace-building, therefore, avoid equating certain behaviour with biological women or men, and stress instead how gendered behaviour and values come into play in situations of war and peace.

Masculine behaviour and values revolve around hierarchy, competitiveness, aggression and physical violence. And, because these are dominant in society, many women imbibe them, and they become the 'normative' codes in society. 'Feminine' behaviour and values, linked to compassion, decentralisation, collaboration and nurturing, have been overdetermined by masculine ones. Gender theories interrogate the hierarchy of feminine and masculine, and envisage social values, behaviour and organisation that are more truly *human*. Advocating principles for social organisation and change that have been culturally coded as feminine is central to this.

This view of feminine and masculine behaviour touches on another, more revolutionary meaning of mainstreaming gender in peace-building. While organisations such as the UN have tended to interpret this simply to mean including women, feminists have argued that gender mainstreaming in peace-building entails comprehensive efforts to create institutional and organisational cultures and arrangements for change (as well as goals for change) that do not centralise or naturalise masculine hierarchy, competitiveness and aggression.

Conclusion

This new interpretation relates to more general ambiguities about the definition of gender mainstreaming. From an accommodative point of view, mainstreaming is believed to involve incorporating women, or creating 'a balance', a situation which means that while women may become more active, the overall systems in which they act remain the same. A radical approach to gender mainstreaming assumes that the key principles underpinning the *status quo* need to be destabilised and challenged, and that historically marginalised principles need to become more central. It is this fundamental effort to re-envisage strategies for change and agendas for change that poses the most radical challenge to how we define and envisage human security.

Notes

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- 10 These tools and concepts are numerous. Apart from distinctive concepts such as patriarchy, gender theories have taken on certain terms, such as hegemony or reproduction, and unravelled hitherto hidden forms of power, especially by focusing on the micro level. Other interventions include such patterns as considering the links between the personal and the political, unpacking 'human identity', and encouraging self-reflexivity about the politics of knowledge.

CHAPTER 3

DEMOCRACY, DEVELOPMENT AND SECURITY IN SOUTHERN AFRICA: CONCEPTUAL LINKAGES AND IMPLEMENTATION PROBLEMS

Patrick Molutsi

Introduction

A consensus has been building around the interrelationships between democracy, development and security. Since around 1990, several international conferences and policy advocacy by non-state actors have generated important discourses that have helped to re-define democracy, development and security. The consensus among both state and non-state actors is that democracy is not complete if it does not address important issues of development and peace at national and global levels. Academics and activists have argued that democracy is both the best mechanism for conflict management and a tool for development. Amartya Sen, for instance, has argued that there are five types of interrelated freedoms: (1) political freedoms; (2) economic facilities; (3) social opportunities; (4) transparency guarantees and (5) protective security. And that

...each of these distinct types of rights and opportunities helps to advance the general capability of a person. They may also serve to complement each other. Public policy to foster human capabilities and substantive freedoms in general can work through the promotion of these distinct but interrelated instrumental freedoms.¹

Sen distinguished for analytic purposes between two dimensions of democracy, which he called *the intrinsic* and *instrumental* aspects of democracy. Among the *intrinsic* aspects of democracy he included human rights and freedoms, the rights to participation in ones' community and national affairs, and the right to security and peace. This aspect is important in that there are systems of government such as the Chinese and a number of the Asian 'Tigers' that have been able to deliver on *instrumental* aspects, that is, providing healthcare, education, clean water, housing and other social welfare programs. But these systems have been found wanting in the area of human rights and security. Similarly, there are those democracies that have been relatively successful at protecting human rights and freedoms, such as India and now some African countries as well, but found wanting on delivery of material goods and services.

This conceptualisation of democracy sparked a debate in the 1970s and 1980s on which was better: China (a fast-developing authoritarian state) or India (an impoverished democracy). The new consensus is that democracy must deliver both. In this regard, democracy is both a tool for development and a development process itself. Similarly, the seminal work of the United Nations Development Program (UNDP), beginning in the 1990s, has helped to re-define development away from economic growth and gross national product per capita (GNP). The concept of human development and its measure – the human development index – first articulated in the UNDP's Human Development Report (HDR) in 1990, brought new thinking to the meaning of development. Development, the UNDP has shown, is more than economic growth: it is growth plus health, education, and social welfare. The UNDP was itself responding to the broad worldwide debates about the Bretton Wood institutions' structural adjustment programmes, which were destroying developing countries' achievements in health, education, poverty alleviation programmes and the general foundation of development. Security, too, has been re-defined away from state security to community and individual security considerations. The new definition has also moved away from an emphasis on physical security to social and emotional dimensions – health, food, community belonging, and protection against abuse by state and other oppressive cultures and traditional discriminatory value systems.

The outline of trends in the discourse on democracy, development and security shows the common concerns: the empowerment of individual and communities that live peaceful and healthy lives. Such empowerment is not going to arise from long-term heavy dependency on either the state or the donor community but on individual and collective efforts to work and create wealth. Thus, the challenge is for states and other actors to create the conditions in which people can be empowered. As Sen rightly put it:

What people can positively achieve is influenced by economic opportunities, political liberties, social power and the enabling conditions of good health, basic education and the encouragement and cultivation of initiatives.²

The Southern Africa context

Southern Africa in the twenty-first century is the product of a protracted history of violent colonialism. Colonialism involved a process of denial of political, civil and human rights on the one hand, and the exploitation

and alienation of the majority of the population from the ownership and control of the basic means of production on the other. Colonialism and its broader system of imperialism resulted in deep-rooted poverty and exploitation, which will take at least another century of concerted and consciously designed intervention at political, social and economic levels to redress.

The attainment of political power by indigenous people began with Botswana, Lesotho, Swaziland, Malawi, Tanzania and Zambia between 1961 and 1968. That was followed by liberation struggles in Mozambique, Angola and Zimbabwe between 1975 and 1980, and more recently the liberation of Namibia and South Africa between 1990 and 1994. These struggles demonstrated that democracy, development and security in this region remained largely elusive.

The challenges of democracy, development and security, as described above, are intertwined. They revolve around political, economic and social empowerment of the people so that they are able to defend the independence of their state, their community, and themselves as individuals. Empowerment requires that people have equal rights to participate in the political society, in the economic society and in setting collective social and cultural standards that will, amongst other things, cushion them against the erosive effects of globalization. Again, Amartya Sen provide useful insights here:

With adequate opportunities, individuals can effectively shape their own destiny and help each other. They need not be seen primarily as passive recipients of the benefits of cunning development programs.³

The focus of research and policy advocacy in Southern Africa should therefore assess the extent to which our governments, civil society groups, donors, employers and the global economy are facilitating empowerment of ordinary citizens.

The following key questions concerning empowerment need to be asked as part of this assessment process:

- a) Is the present political system, that is, democracy as currently practiced in the region, empowering the citizens of individual Southern African countries?
- b) If the answer is yes, what are the indicators of such empowerment?

- c) Are the current economies and development strategies likely to empower the majority of the people and take them out of poverty, unemployment and high dependency on both the state and the donor community?
- d) Are current development strategies adopted by Southern African governments (and their regional and continental bodies) sustainable in terms of use of resources?
- e) Are our leaders inculcating values of responsibility, accountability and preparedness amongst the people of Southern Africa?
- f) Are our approaches to security likely to engender collective and personal security as opposed to merely state security?
- g) Are states spending too much on developing state apparatus and too little on policies and programmes that address broader security issues?

This list of pertinent questions is by no means exhaustive but it contains critical pointers toward what needs to be done to create a politically developed and secure Southern Africa. In order to address these questions we need to shift the focus away from the state and its activities toward the impact of state activities on the ability of individuals and communities to determine positive peace in real situations.

Poverty and underdevelopment

For the countries of Botswana and Mauritius, it is now almost 40 years since they attained political independence and adopted western-style multiparty democracy. For the rest of the region, a similar system is only approaching its third cycle of multiparty elections; a period of roughly 15 years. This notwithstanding, it is evident that, except for in Swaziland and Zimbabwe, some degree of political stability has been established in the region. Elaborate constitutions have been designed and accepted, and electoral systems and related political institutions governed by the rule of law are in place in many Southern African countries. Indeed, the limit put on the term of office of the presidency at the beginning of the 1990s has begun to show results. In recent years, we have seen the replacement of one president by the other in Botswana, Malawi, Mozambique, Namibia, South Africa and Zambia.⁴ This has not been a smooth and easy process, particularly in Malawi, Namibia and Zambia, but it nevertheless signalled a development that was unheard of in the past. Parallel to the regulation of the political process at the top level,

has been the existence of a weak but visible parliamentary opposition in all the parliaments of the countries under discussion. Multiparty parliaments, even under dominant ruling parties across Southern Africa, is still a new development that did not, and could not have, existed in many of these countries prior to 1990.

However, if democracy is more about equality of citizens and their ability to control those they elect, then democracy in Southern Africa is impoverished. Some progress has been made in recognising the equality of women and minority groups, in affirming the rights of children, recognising the rights of workers and disabled people. But these efforts are generally undermined by poverty, unemployment, and the lack of access to the means of production by the majority of the population. This state of affairs has created a situation where citizens might be completely dependent on the state to provide health, education, jobs and social security. Consequently, what Amartya Sen⁵ referred to as the 'intrinsic' values of democracy, that is, the right to vote, to participate, to justice, to protection and peaceful co-existence, continue to be undermined at individual and community levels. The state itself has only limited capacity to deliver the benefits of the social welfare programme anticipated by the population as a dividend of peace.

Writing in the late 1990s on the prospects for democracy in countries forming the so-called 'third-wave of democracy', Samuel Huntington⁶ argued that there were three distinct threats to sustainable democracy in countries such as those in Southern Africa. According to him, the first threat to democracy was likely to come from the generals and revolutionaries who, having been elected to power would manipulate the mechanisms of democracy and curtail or destroy democracy. The second threat was from electoral victory of parties and movements apparently committed to anti-democratic ideologies such as Islamic fundamentalism. According to Huntington, a third threat to democracy is executive arrogation, which happens when an elected chief executive concentrates power in his/her own hands. Elements of these three threats are visible in some democracies in Southern Africa.

The culture of violence and intimidation are still invoked by military elements of both the past oppressive regimes and those who fought against them. Past radicalism and romantic discourses are often invoked to intimidate those who did not fight in the bush, but might nevertheless have participated in very different but significant ways to bring about change. The 'strongman' practices are also evident when the president and not the people determines who will succeed him, and indeed whether he will leave both the leadership

of the country and the party or retain the latter. At community level too, the culture and privileges of the ex-combatants versus non-combatants can cause conflict and discrimination. These threats might not yet be serious but developments in Zimbabwe show how a combination of these threats can indeed bring about a caricature of democracy, trigger new forces of intimidation and conflict, and result in economic collapse.

Empowering the individual and society

Southern Africa stands at the crossroads of democratisation and peace. The opportunity for peace and development has been created by various political settlements. These have gone some way toward promoting democratic principles of inclusion rather than exclusion, social justice for all rather than discriminatory practices, equality before the law, and full participation in political processes. We have, however, argued that the democratisation of a post-conflict society cannot be achieved by political liberalisation alone. Nor can it be attained solely by economic liberalisation and allowing free markets. Many Southern African societies are still constrained by deep-seated historical injustices regarding the control and distribution of the basic means of production: land and capital. These resources, together with human capital, enable people around the world to empower themselves by taking advantages of new economic opportunities.

Research focus for empowerment

How then are individuals and communities to be empowered under present conditions in the region? Major reforms are required but before such reforms can begin, more careful and focused research is required on these four topics:

- a) **Strengthening a free and lively civil society.** By this we mean that arena of the polity in which self-organising and relatively autonomous groups, movements and individuals operate who can articulate (without fear or favour) the values of democracy, peace and sustainable development. Such organisations are urgently required in many of countries in Southern Africa. At present, civil society is weak and highly dependent on the state and donors for financial support and other favours. Indeed, many civil society groups have become extensions of the state. This relative dependency has limited their capacity to generate alternative policy discourse and development strategies required to attain the goal of citizen empowerment. The current trend is such that we run the high risk of incorporation into

the state or other structures and may succumb to the complacency characteristic of the post-independence era. This complacency, as we now know, contributed in a major way to the rise of the one-party state and undemocratic governments in the 1970s and 1980s.

- b) **Developing a relatively autonomous political society.** This is the arena where political actors compete for the legitimate right to exercise control over public power and the state apparatus. As Linz and Stepan⁷ pointed out, democratic consolidation requires that citizens develop an appreciation for the core institutions of a democratic political society that is, political parties, legislatures, elections, electoral rules, political leadership, and inter-party alliances. The risk for democratic consolidation in Southern Africa is the looming loss of legitimacy by the political process and political actors. Unfair and 'less free' elections, corruption and manipulation by the incumbent parties undermines the long-term credibility of the democratic system and its institutional capacity to control wrongdoers. Research is required to address constraints to political competition, transparency, political party management, and so on.
- c) **Creating a participatory and institutionalised economic society.** Economic society refers to independent enterprises which operate for profit but have the responsibility to use resources sustainably, to protect the environment, to produce quality and socially acceptable products, and to care for those they employ. In Southern African societies, four types of economic actors can be identified; the large, predominantly foreign investor; the medium-sized, mainly local investor, small businesses, and the state /semi-state enterprises. These actors are competing unfairly and often the bias is in favour of the first two, while the semi-state actors may be poorly and corruptly managed. In other words, the economic activity in many of countries is not empowering the majority of the population and they thus need to be radically reformed. State welfare, in the form of poverty alleviation, is not empowerment but perpetual subjection of people to 'cunning development programmes'. Research should focus on strategic state economic reform programmes that protect and empower the disempowered sections of the population.
- d) **Investing in human capital development.** Societies around the world are increasingly recognising that the future lies not in mineral, agricultural or even manufacturing activities (which led economic development in the past centuries). Instead, the future lies in people with high levels of training. Education and training are the best public goods

that can be distributed relatively equitably to the general population, thereby empowering them. In Southern Africa, governments agree that education and training are strategic tools for the creation of a knowledge society but their rhetoric is not matched with investment. How best can government and society invest in education and training, especially tertiary level education? This is a question to which research needs to find an answer.

Conclusion

The purpose of democracy, development and security is the empowerment of individuals and society. Every programme and research activity should therefore focus on assessing the extent to which empowerment takes place in our post-colonial, post-conflict and underdeveloped societies. The present strategies for democracy, development and security are not adequately focused on empowerment and need to be revisited. More research and information on alternative strategies is required.

Notes

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- 2 Ibid, p 5.
- 3 Ibid, p 11.
- 4 Tanzania will see the replacement of President Mkapa in the next election scheduled for late 2005/early 2006. (President Jakaya M Kikwete was elected.)
- 5 Sen, op cit, p 10.
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CHAPTER 4

SADC'S SECURITY ARCHITECTURE: POLICY-BASED RESEARCH AND CAPACITY BUILDING

Sivuyile Bam

Introduction

This paper's focus is on the SADC Organ on Politics, Defence and Security Cooperation (OPDSC), a SADC body mandated to "promote peace and security in the region".¹ Although the Protocol establishing the OPDSC was signed at the SADC Heads of State and Government Summit (HoSG) in Malawi in 2001, the decision to establish the body had already been taken in 1996.

The formation of the SADC OPDSC and its subsequent evolution into a SADC security body should be viewed as part of the transformation process of the regional economic community itself. The predecessor to SADC, the Southern African Development Co-ordination Conference (SADCC), was amongst other purposes, set up to reduce the economic dependence of Southern African states on South Africa. SADCC inherited the structures established by the Frontline States (a predecessor to SADCC) that dealt mainly with defence and security matters, namely, the Inter-State Defence and Security Committee (ISDC). The Frontline States was set up as a body to "lobby for the liberation of Zimbabwe, Namibia and South Africa".² It was to provide such lobbying by contributing to the sustainability of the liberation movements in these countries. The ISDC was formed to fulfil this mandate.

Throughout these differing phases, security was determined by the prevailing political climate and, hence, was defined as being able to defend the independent states against South African domination. Thus, for both the Frontline States and SADCC, the security paradigm was state-centric.

The challenges facing SADC in its attempts to resolve the conflicts in Lesotho, in 1998, and the Democratic Republic of Congo, in 1999, in turn, informed the emergence and functioning of the OPDSC. Both interventions highlighted the latent differences within SADC that had hitherto largely been papered over. In alluding to this, Rocky Williams notes that

...the era of the Frontline States and the South African Development Co-ordination Conference had clearly masked more fundamental

differences within and between SADC states than had hitherto been acknowledged. Post independence governments within Southern Africa had developed definite geo-strategic and national interests, which only became more apparent with South Africa's acceptance into the Southern African Development Community.³

Having outlined a brief history of the SADC OPDSC let us turn our attention to the key challenges and issues for policy-based research and capacity-building in SADC.

Challenges and Issues for Policy-based Research and Capacity-building

The key question in an examination of the functioning of the SADC security architecture is whether or not there is a need to develop a common defence and security policy framework that informs the understanding of the purpose of security in SADC? Dr A. Omari, in pointing to the need for such a framework, noted that "there is an absence of a regional common defence policy in SADC".⁴ Although there are provisions for how SADC should approach conflict resolution, for example in the treaty establishing SADC, the protocol establishing the OPDSC, the Mutual Defence Pact on Inter and Intra-state conflicts, and many other provisions within SADC, there appears to be no common definition outlining what is meant by security within SADC. Such a document could be drafted along the lines of the African Union Common African Defence and Security Policy, which was approved by the AU Heads of States and Government Summit in Sirte, Libya, or along the lines of the European Common Defence Policy.

The current efforts by the United Nations and the African Union, which emphasise the importance of the role to be played by regional and sub-regional organisations in conflict resolution, provide further impetus for the need to develop a common defence and security policy framework. This policy framework should inform its objectives and speak to the AU and UN frameworks on conflict management and prevention.

Another pertinent issue is whether or not the OPDSC is sufficiently integrated into the broader SADC structure, in terms of its functioning. Reference here can be made to the vertical integration of OPDSC structures such as the Operations Sub-Committees with other Standing Committees. The drafting of the Strategic Indicative Plan of the Organ (SIPO) illustrates a lack of integration. SIPO is meant to "define clearly the strategic objectives and mechanisms for systematic involvement of co-operating partners in various

activities of the Organ".⁵ Although the SIPO was set up against a background of a need identified by SADC to develop a Regional Indicative Strategic Development Plan (RISDP), there was hardly any input from those structures outside of the Organ into the formulation of the document. Realising that these two processes needed to talk to each other, there are now moves to integrate the SIPO into the RISDP.

It has been a slow process to implement the structures set out in the SIPO. Although SADC's HoSG Summit launched SIPO in Mauritius in 2004, the implementation of the structures proposed by the SIPO has been affected by the decisions of the Council of Ministers. During the meeting held in Mauritius in 2004, in preparation for the HoSG Summit to be held later that week, some member states expressed concern about the size of the proposed structure of a secretariat for the OPDSC, a concern echoed by the Council of Ministers. The Ministerial Committee of the Organ was then persuaded to revise the structure and implementation plan taking into account the funding constraints. This confirms the need to create a closer working relationship between the OPDSC and other SADC structures.

The approach adopted within SADC (that the OPDSC offices and administration be located with other SADC offices in Gaborone, but be on separate floors or premises) does not seem to support the integration of the OPDSC into SADC. This integration process is therefore an area that needs further research.

Scholars should also interrogate the capacity of the SADC OPDSC to fulfil its mandate, i.e., both the administrative aspect and the political structure of the institution. Dr Adekeye Adebajo,⁶ comparing the various African Regional Economic Communities in respect of their capacity to undertake intervention and peacekeeping, alluded to the size of the secretariat that deals with defence and security at ECOWAS and SADC. He pointed out that ECOWAS has a full-time team of approximately 40 staff members, as opposed to just two in the OPDSC who deal with defence and security issues. ECOWAS also has a strong Executive Secretary who plays more than an administrative role in the regional institution – the same cannot be said of SADC.

The relevant issue, however, is the relationship between the OPDSC and the Troika, which many of the other regional economic communities do not have. Should the OPDSC have a strong secretariat and a weak Troika system or, instead, a more robust secretariat that manages the day-to-day activities, coupled with a strong Troika system that informs and directs the activities?

The last key area for policy research identified in this piece is the role that non-state actors should play in the activities of the Organ. Institutions such as UNESCO, UNDP, and the AU's 'Panel of the Wise' have provided some space for non-state actors. It may be time for the OPDSC to outline how it proposes to bring non-state actors on board so as to enhance the peace, security and democracy agenda. This question is perhaps more urgent than others because it also has to consider whether to include non-state actors in the SADC Standby Force as part of the broader African Standby Force contribution. Policy researchers should be documenting this decision-making process as it unfolds.

The questions raised above should continue to be highlighted against the background of a changing paradigm that no longer sees security as state-centric, but rather more broadly, as protecting citizens against both external and internal abuse and non-delivery. We should continue our theoretical pursuit of the meaning of human security and define ways of operationalising that meaning.

Notes

- 1 Article 1 of the SADC Protocol on Politics, Defence and Security Co-operation as approved by SADC Heads of State and Government Summit in Malawi, 2001.
- 2 G Cawthra and A van Nieuwkerk, *Regional Renaissance? Security in a globalised world: The Southern African Development Community in dialogue on globalization*, briefing paper, Mozambique, FES, June 2004.
- 3 R Williams, Ensuring Strategic and Institutional Inter-operability: The Organ on Politics, Defence and Security and the challenges of managing regional security in SADC, in *Journal of Security Sector Management*, March 2005.
- 4 D Omari, War on terror, paper delivered to the international round table on African Perspectives on Global Security Agendas, Centre for Defence Management and Friedrich Ebert Stiftung workshop, Johannesburg, Wits University, 21-22 November 2005.
- 5 Annex 6 of an undated document, Development of a Strategic Indicative Plan for the SADC Organ on Politics, Defence and Security Co-operation, Draft terms of reference.
- 6 Ibid.

CHAPTER 5
THE ROLE OF THE MILITARY IN
DEMOCRATIC GOVERNANCE IN AFRICA:
THE NEED TO INSTITUTIONALISE
CIVIL–MILITARY RELATIONS

Sagaren Naidoo

Introduction

A prominent diagnosis for Africa's post-colonial developmental crisis has been the absence of good and democratic governance among its member states. A familiar attribution for this absence has been the inappropriate and counter-productive involvement of the military in institutions of governance. Indeed, to examine the military as an institutional actor in politics, democracy and, ultimately, governance would not be axiomatic in analyses of major Western democracies. But to omit the role of the military from this subject in some African states would constitute a significant oversight. In parts of Africa, the military, as an institution of the state that enjoys the 'monopoly on violence', lacks legitimacy as an agent of good and democratic governance. At the same time, the military's institutional footing within these states is unlikely to disappear, and it can hardly be terminated. The subsequent challenge, therefore, is to determine how the military can play a positive role in enhancing and promoting democratic governance and development.

This paper argues that the institutionalisation of sound civil-military relations provides the fundamental basis for the legitimisation of the military as an actor and promoter of democratic governance. **Firstly**, it argues that the military is indeed an institution of governance with the aim of convincing the reader of its continued institutional need. **Secondly**, the paper advances the concept of civil-military relations within the discourse of security sector reform to advocate with caution that civil control of a state's armed forces promotes good and democratic governance by providing the required institutionalisation for the accountability of the military. **Thirdly**, the paper examines parliamentary oversight of the armed forces and reviews some of the challenges for its effective and ideal practice. **Finally**, it attempts to briefly advocate some ways to enhance parliamentary oversight of the security and defence sectors.

Reviewing the military as an institution of democratic governance in Africa

Early studies of the post-colonial armies in Africa viewed them as part of an ‘institutional transfer’ of Western paradigms of governance, along with models of political administration¹. However, many African militaries have come to bear little resemblance to such a model and have instead been viewed as a “coterie of armed camps owing primary clientelist allegiance to a handful of mutually competitive officers”². The military’s claim to power in Africa was founded on the argument that the civilian ruler was a leading participant and beneficiary of economic mismanagement, as well as the promoter of internal political strife. In other words, “military governments come to power, not because of the original sin or the superior firepower of the military, but because the civilian political order has proved unsatisfactory.”³ However, as military rulers captured power, “they quickly discovered that military coups were the easiest and fastest route to state power, and by implication, the agency for guaranteed self-aggrandisement”⁴. In addition, the Cold War played a significant role in providing the rationale for the role the military has had in many African states. Put differently, within the context of an imminent outbreak of ‘war’ between nuclear superpowers, the existence of African militaries was not only justified and accepted by the broad citizenry, they were even allowed to replenish its capabilities and enjoy levels of autonomy disproportionate to their role in fledgling post-colonial African states. The consequences were the predatory public administrations that consolidated what some have called the “criminalisation of the African state”⁵ and subsequently squandered their legitimacy as a promoter of good and democratic governance.

The most fundamental basis of the military’s claim to power and as an institution of governance is “that of being the most effective and rationale means of organising force and pursuing war”⁶, and therefore ensuring the preservation of a state’s security, sovereignty and territorial integrity. In the words of Francis Fukuyama⁷ “states need to provide public order and defence from external invasion before they can provide universal health or free education”. Others see the military as “a bulwark against social unrest, and a modernising and stabilising source of organisational strength in society to prevent subversion or a total collapse of the political order”.⁸ However, there exists a problematic relationship between some African states and their militaries based on a dynamic that such “states have been predisposed to depend on the military as an institution for survival but apparently incapable of controlling them once unleashed”.⁹ Consequently, the military has been the very institution of power and force that “allows states to confiscate private property and abuse the rights of their citizens” and thereby become the primary source of insecurity for the people.¹⁰

The inability of militaries or armed forces to provide or create the necessary environment for development arises to a large degree from poor governance by the state. In other words, the problem should not be seen solely as a military that is too interventionist, but also the result of a weak state and, moreover, a weak system of governance. This analysis clarifies the dual duty of the military: to provide security for the citizenry as well as the state, thus creating an enabling environment for development. That is, militaries can be the source of the violence inflicted on citizens, yet they (militaries) are central to the state's ability to control violence, in particular externally induced violence. According to Nicole Ball,¹¹ countries most in need of stronger security sector governance are those with weak democratic institutions and insufficient civilian capacity to manage and monitor the security bodies. In other words, the citizens of these states are unable to hold the military accountable. An approach to democratic governance should, therefore, focus on the necessity for security sector governance with regard to institutionalising civil-military relations in order to remove one of the major impediments to the African state's ability to provide sustainable (human) development.

Civil-military relations and democratic governance

Until recently, democratisation theory did not pay much attention to the issue of civil-military relations. Democratisation theory tended to ignore the fact that democratisation is unlikely to succeed as long as the military retains the power it amassed during the previous authoritarian regime and so long as it continues to enjoy that power under the new government. Equally, good governance within the security sector in African states has not traditionally been a concern of the international community.

The role of African militaries in their respective state's developmental malaise came under attack with the demand for democratisation and good governance. The contribution by African militaries to the 'bad governance' on the continent became a concern to the international donor community when the World Bank's (WB) very technical and stringent Structural Adjustment Programmes (SAPs) failed to produce the economic reform required to halt and reverse Africa's developmental woes. Within this context, the military as an obstacle to development was correspondingly challenged through a reduction in the defence budget. However, reductions in defence spending did not produce the expected proportional levels of development. Moreover, this did not stimulate any better governance. In some cases, investment in basic infrastructure like roads and public health, education and agriculture

declined, while spending on diplomatic services and jobs connected to the presidency increased noticeably. Consequently, something else, something more, was needed to overcome the obstacle.

By incorporating sound economic management, human development and democratic governance, SAPs began the demand for more efficient, transparent and uncorrupted governments on the continent, even though this demand was politicised and not universally enforced.¹²

A critical part of the attempt to regulate the armed forces and foster some kind of security sector reform is the need for democratic, civil control of the military and the historic pursuit of harmonious and non-conflictual civil-military relations. For Ball,¹³ security sector governance is highly political and involves altering power balances between civilians and security personnel, between the executive and legislative branches of government, within the executive branch, and between government and civil society. Therefore, the challenge in consolidating security sector governance is to “develop both effective civil oversight mechanisms and affordable security bodies capable of providing security for the state and its citizens within the context of democratic governance”.¹⁴ At the same time, objective civilian control of the military requires professional military establishments strong enough to avoid being sucked into politics, yet not so strong that they could disregard civilian elites.¹⁵ Indeed, the constraints to achieving this objective are, to a large extent, the same as those hindering better governance in other sectors of the state.

Within this context, the roles of the different state institutions or government structures in operationalising effective civil control over the armed forces are significant. The classic understanding of civil-military relations is about the balance of power between the civilian political authority and the military. Democratic civil-military relations necessitates that the military is subordinated to a democratically elected civilian government. Various constitutional and institutional measures are put in place and civilian oversight becomes key aspect of the relationship. Huntington argues that this can take the form of objective or subjective civilian control. Objective civilian control is when the civilian and military institutions are distinct from each other; when the institutional boundaries that separate the civilian and military spheres of activities and functions are clearly demarcated; when the civilian authority makes policy that the military implements; and where the military's participation in policy making is limited to security and defence issues and obtained through civilian and not military initiative. Subjective civilian control, on the other hand, occurs when the institutional boundaries between the civilian government and

the military are blurred, and when military functions are not clearly defined or strictly confine to security and defence issues.

Subjective civilian control, in brief, is achieved when the distinction between the government and the army has been lost. Good governance of the security forces requires that they be controlled by democratic civilian institutions. The civilian control is shaped by many factors, important among them is the institutional capacity of the government.

Parliamentary oversight of the defence sector: Why?

Why is parliamentary oversight, particularly in a democracy, critically important? A key feature of a democratically elected government is its system of 'checks and balances' that helps prevent autocratic rule, amongst other things. Equally important is the need to counterbalance the executive's power to determine and govern, on its own, the national security of a country. Put differently, the propensity of the executive to monopolise and autocratically decide the national security and defence policies, and corresponding roles and functions of the armed forces, can be checked with adequate parliamentary oversight.

But why should parliament be the primary actor in the exercise of oversight on a country's armed forces? According to Heiner Hänggi¹⁶ of the Geneva Centre for the Democratic Control of Armed Forces, "while legislatures may range from ornamental to significant governing partners, they have some common characteristics, which include the basic functions they perform: representing the public, making or shaping laws, and exercising oversight. It is an undisputed tenet of democracy that the parliament, being the representative body of the polity, must exert oversight over every element of public policy, including the military or the security sector in general". In articulating the South African experience of the role of the parliamentary defence committee in ensuring effective oversight, James Ngcucu¹⁷ expressed a similar view, noting that "all state institutions are accountable to parliament in a democracy. Parliament, as the elected representative body of the public, needs to ensure that the defence forces operate within democratic and constitutional parameters and that it does not abuse its powers".

In a democracy such as South Africa, parliament's mandate and authorisation to scrutinise and oversee executive action is a constitutional provision. The importance of constitutionally institutionalising parliament's powers is derived from acceptance and acknowledgement that constitutions are not

easy to change because voting on constitutional reforms mostly requires a qualified majority in the parliament or, as in some countries, in a popular referendum. Consequently, the constitution represents an effective way of protecting the authority and power of the parliament, similar to the way that parliament protects the powers of other branches of government.

Parliamentary oversight of the defence sector: What does it entail?

Basically, the main principle of parliamentary oversight of the defence sector is to hold the executive and the Ministry of Defence accountable and to oversee that a balance exists between the needs of society and the needs of the security sector in pursuing governmental objectives. Although there is no single set of norms for civil-military relations, it appears that, in a liberal democracy, the following main principles should be applied to parliamentary oversight of the security sector:

- Parliament is sovereign and therefore has the last say in security and defence policy and, in this regard, parliament holds the government accountable for the development, implementation and review of the security and defence policy;
- Parliament has a unique constitutional role in the authorisation and scrutiny of defence and security expenditures as well as declaring a state of emergency and the state of war;
- * The state is the only organisation in society that has the legitimate monopoly of force. Since the state has delegated this monopoly to the military, the military is accountable to the democratic, legitimate authority;
- * Principles of good governance and the rule of law are valid for all branches of government, including the security sector;
- * The political and military leaders are committed to a healthy division of labour, i.e. political leaders interfere as little as possible in military decision-making and vice versa;
- * The military is an instrument of national security and foreign policy; and
- * The legitimate democratic authorities are the only actors entitled to decide whether the society needs more 'guns or butter'.¹⁸

In a democracy, where the rule of law must prevail over the arbitrary use of violence, the parliament is entrusted with substantial powers to ensure that ‘the tools of coercion’ are not abused – by either the military or the executive. Through the power vested in it, the parliament performs a range of critical functions regarding the defence sector. The most salient of these are:

Legislative powers: Parliament makes, shapes and passes laws that govern the defence sector. The constitutional framework of a democracy constitutes the authority of the parliament’s involvement in defence legislation. Although parliamentarians may not be the main drafters of legislation, they nevertheless constitute the principal institution for its debate and subsequent approval (or rejection). Toward this end, parliament exercises significant power in overseeing the defence sector by, for example, stipulating what concept of security must be adopted or, for that matter, the approval or rejection of the deployment of the armed forces abroad in international peace missions.

Defence policy: Parliament supervises, guides and approves defence policy, Generally, in democracies, parliament’s role is to ensure that the people’s aspirations are embodied in state policies and, accordingly, oversee that the said policies are implemented. This holds equally, if not more so, for defence policy. In this regard, “it is important to be explicit about what is meant by ‘parliamentary oversight’. Does it mean control, consultation or accountability? In most cases in the West, actual control by parliament only occurs in limited areas. In practice, ‘parliamentary oversight’ does not mean that every aspect of military policy is directed by parliament but, more crucially, that policy is transparent and that policy-makers can be held to account if necessary”.¹⁹ To this end, the formulation and writing of defence policy is thoroughly scrutinised and supervised by parliament.

Indeed, policy is to be contrasted with actual operations. “Convention holds that MPs should not meddle in operational matters. There is obviously a fine line between policy and operational practice. When elected civilians do not extend or exercise their oversight and control far enough, human rights and other abuses may occur”.²⁰ Therefore, parliament enjoys the prerogative to assess the implementation of defence policy. In other words, it determines whether the ‘roles and functions’ of the armed forces are in accordance with the defence and national security policy.

Budgeting: Allocation of funding for the security sector must often compete with other areas of public spending, in particular, the social and developmental sectors. The parliament has the power to approve, disapprove or amend the defence budget, as with the budget of any other sector. In order to do so,

however, the parliament must have comprehensive information on all budget items (not just grand totals) regarding defence expenditure. If necessary, the parliament can request that external auditors report to the parliament on the financial state of affairs of each security force. Not only can the legality of budget spending be scrutinised, the parliament has the right to research whether money is spent in an effective and efficient way. In the same vein, the Minister of Defence has to report to parliament on any budgetary changes, and the latter then retains the right to approve or disapprove any supplementary budget proposals.

The parliament also scrutinises the planning and programming of the Department of Defence (DoD). The defence strategic plan and its corresponding programmes designed to accomplish its defence objectives, is overseen by parliament. In short, parliament authorises policy, has legislative powers, approves the budget and endorses, alters or cancels the president's decision to deploy the armed forces.

Parliament and concomitant institutions

The Parliamentary Committees on Defence

The parliament has the crucial power to set up committees that focus on various areas or portfolios, and the defence and security sector is no exception. The parliamentary committees, in turn, have the right to organise their own functioning and agenda in the conduct of hearings and to require the presence of cabinet ministers at committee meetings.

These committees must maintain oversight of:

- The exercise within its portfolio of national executive authority, including the implementation of legislation;
- Any executive organ of State falling within its portfolio;
- Any constitutional institution falling within its portfolio; and
- Any other body or institution in respect of which oversight was assigned to it.

In the South African case, two parliamentary committees were established and charged with the task of managing the national defence function within

the legislature. **Firstly**, the **Joint Standing Committee on Defence (JSCD)** was established in terms of the South African constitution. The JSCD is mandated, “to investigate and make recommendations on the budget, functioning, organisation, armaments, policy, morale and state of preparedness of the National Defence Force and to perform such other functions relating to parliamentary supervision of the force as may be prescribed by law”.²¹ **Secondly**, the **Portfolio Committee on Defence (PCD)** “discharges similar functions to the JSCD although it is also empowered to deal with legislation tabled in parliament. It is a multi-party committee comprising all political parties represented in parliament. The work of the JSCD and the PCD are, therefore, complementary”.²²

The Department of Defence or Ministry of Defence (MoD)

While a powerful and competent parliament is generally considered to be an important element in the effective democratic oversight of the defence sector and armed forces, parliamentary oversight can only be successful if the parliament is given the full support of other branches and bodies of government, in particular the DoD or the MoD. Scholars are often struck by the very great differences between defence ministries in different countries. According to David Chuter,²³ “the difference is mainly because the range of functions, involved in defence is very large and there is a great deal of variation in the ways in which they are carried out.” Nevertheless, the Minister of Defence, like all other cabinet ministers, is held accountable by parliament for the exercise of the powers, duties and functions of his/her portfolio. In this regard, parliament provides a legislative base for the functions and organisational framework of each department of government. For example, the South African Defence Act contains the powers of the MoD, the Secretary for Defence and the Chief of the South African National Defence Force (SANDF).

The following, according to Chuter,²⁴ are suggested as the most important defence functions:

- 1) The command and control of operational forces;
- 2) Operational planning and exercises;
- 3) The peacetime recruitment, training and administration of military personnel;
- 4) Intelligence analysis and sometimes collection;

- 5) Formulation of defence policy;
- 6) Implementation of defence policy;
- 7) Equipment research and development;
- 8) Equipment procurement; and
- 9) Administration of the organisation itself.

Challenges for effective parliamentary oversight

It is generally accepted that a range of conditions will determine the strength or weakness of parliamentary oversight and the challenges that are likely to arise. **Firstly**, the formal oversight powers, including constitutional and legal powers can become muddled and dysfunctional if the executive is politically strong and non-compliant. Therefore, the political will of the parliamentarians to use their constitutional and legal powers is needed. **Secondly**, parliament requires real oversight capacity in terms of professional expertise and technical capabilities, and therefore requires the necessary resources at its disposal to exercise effective oversight of the defence sector. **Thirdly**, the issue of transparency is often fraught because of the need for confidentiality and secrecy. This has to be delicately balanced with the democratic right of public access to information.

Weakness of parliamentary oversight: In considering the strength of parliament to oversee the defence sector, Modise²⁵ argued that countries with stronger legislative traditions tend to emphasise the role of legislative mechanisms entrusted with oversight roles such as committees of parliament, the ombudsman, the approval of budgets, etc. Countries with stronger executive cultures rely more on the regulatory role of civil servants, the finance ministries and presidential control to ensure the subordination of the security sector to civil power. In South Africa, it took time before members of parliament (MPs) began to internalise the separation of powers, and to expect the executive to justify its decisions to parliament and not the other way round. Oversight is generally weak in countries where the executive is strong and the legislature is weak. In fact, if one were to analyse the Southern African Development Community (SADC) alone, during the past few years, one would find that the region suffers from weak legislatures, where loyalty to the party hierarchy is sometimes confused with loyalty to the people.

Therefore, unless elected representatives have a commitment to hold the executive accountable, no amount of constitutional authority or resources will make them effective. Hence, an important condition of effective parliamentary oversight is its willingness to use the resources at its disposal and the legal power vested in it. If parliamentarians do not want to use their powers to scrutinise the government, constitutional or other legal powers will be of little use. Party politics is one of the main factors that restricts parliamentarians who have the legal power to hold the government accountable. More often than not, parliamentary political parties, which are represented within the government, are not very eager to oversee their governmental counterparts in a critical manner. As a result, instruments of parliamentary oversight are often not applied to oversee the executive, except when scandals or emergencies occur.

Capacity for oversight: Capacity-building is essential if parliaments are to exercise effective oversight over the military. For example, within the defence budget system, the parliamentary committees need to understand these processes and must therefore develop the skills to analyse, monitor and advise on defence expenditure. In theory, parliament can exercise its control over the executive because it controls the budget. But in reality, clear guidelines for expenditure must be set and understood by both the military and those who exercise control over the military. What role do parliamentary committees play when defence spending continues to be below the amount required to execute and sustain defence policy? Is it not their duty to be concerned with the functioning, state of readiness and morale of the military? Should they not guide the balance between social, developmental and defence expenditure? Answers to these critical questions compel the need for competent parliamentarians to provide an oversight function. "There is nothing as dangerous to democracy as an ignorant MP".²⁶

Resources: In addition to its formal authority, the parliament must have the ability to carry out its roles. Members of parliament are entitled to question ministers, but they need to be able to ask the right questions. Effective parliamentary oversight of the security sector requires expertise and resources in parliament or at the disposal of parliament. The expertise of parliament is, however, no match for the expertise of the executive and the security forces. In most cases, parliaments only have a very small research staff, if any, whereas the executive can rely on the staff of the ministry of defence and other ministries, which deal with the security sector. In addition, parliamentarians are only elected for a limited term, whereas the majority of civil servants and military personnel spend their entire career in the ministry of defence. The basic problem is, however, that parliaments rely mainly on information coming from the government and military, which are the very institutions

they are supposed to oversee. This creates asymmetrical dependency relations between the parliament, the government and the military. The situation is aggravated by the closed nature of the security sector due to the work it undertakes in the field of the military, culture, education and secrecy laws.

Limits of transparency: Some areas of defence policy are legitimately secret. There are, though, practical measures that can be implemented to allow legislative oversight over secret policy areas, particularly if a relationship of trust exists between parliament, the executive and the armed forces. Examples include the use of closed rather than open committee hearings. The South African White Paper on Defence²⁷ states that: “Defence policy and military activities shall be sufficiently transparent to ensure meaningful parliamentary and public scrutiny and debate, insofar as this does not endanger the lives of military personnel or jeopardise the success of military operations.” It is not always easy to define clearly when this position has been reached and it is therefore important that there be good and open relations between the committees and the department to reach amicable and acceptable compromises. In South Africa, the Access to Information Act provides a legal basis for solving such disputes.

Enhancing parliamentary oversight

To address the capacity and resource constraints that affect parliamentary oversight, a number of measures have been proposed and applied in recent years. This is particularly the case in the context of legislative development programmes applied in countries in transition. Some of these measures include:

- Parliaments making use of the expertise of non-governmental organisations (NGOs) in their work (e.g. requesting research from think tanks and inviting civil experts to participate in public hearings);
- International parliamentary assemblies and international think tanks are becoming increasingly active in supporting parliaments. Parliamentarians are often active in these international assemblies, in which they exchange experiences and viewpoints with parliamentarians from other countries; and
- Parliaments have parliamentary staff members (for both individual parliamentarians and for committees) who must follow national and international seminars and study tours.

Conclusion

Bad governance has been instrumental in retarding development among many African states. Much of the bad governance has undoubtedly been a consequence of the military's inappropriate involvement in structures of governance. Africa's history of competition for the control of the state, especially between the military and civilian classes, has been at the centre of this malgovernance. At present, civil control of the military provides the best way of addressing problems of African development and governance that are military- induced. At the same time, parliamentary oversight of the defence sector, first and foremost, depends on the type of political system that exists. It might be a democracy and it might have a parliamentary or a presidential system. Parliamentary oversight of the defence sector is also crucial in ensuring that the armed forces are managed in much the same as any other public good would be. Therefore, it is essential to afford ample attention to the legal and formal frameworks of the parliamentary authority that provides the critical oversight of the defence sector. Effective parliamentary oversight requires the adoption and maintenance of 'best practices'. The best way of trying to increase the willingness of members of parliament to engage in effective parliamentary oversight is to improve the constitutional and legal authority of the parliament and its capacity to carry out its role in terms of professional expertise and technical capabilities. However, "as long as African political rulers and administrators are drawn from a class of predators, no amount of preaching the virtues of good governance or tuition on public administration will fundamentally alter the quality of governance".²⁸ And because of the role that the security institutions such as the military often play in bolstering the power of political elites, caution should be taken with regard to the institutions created for the advancement and strengthening of security sector governance in Africa.

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CHAPTER 6

SADC PRINCIPLES AND GUIDELINES GOVERNING DEMOCRATIC ELECTIONS AND ELECTION OBSERVATION MISSIONS: AN EVALUATION¹

Zimbabwe Election Support Committee (ZEZN)

Introduction

Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognised human rights. Genuine democratic elections serve to resolve peacefully the competition for political power within a country and thus are central to the maintenance of peace and stability. Where governments are legitimised through genuine elections, the scope for non-democratic challenges to power is reduced.²

The SADC Principles and Guidelines Governing Democratic Elections (hereafter referred to as ‘the SADC Principles’) provide a useful set of standards to judge whether a particular country has conducted elections that are free and fair. They reflect universally accepted standards for free and fair elections and state that they are based on standards contained in various regional and international instruments such as the African Charter on Human and People’s Rights and the human rights documents of the United Nations. They also provide guidelines for observation of elections to ensure that the standards are met.

This paper outlines and assesses the guidelines, especially the observation of elections in SADC countries by SADC observer missions and the duties and responsibilities of observers. This paper suggests some policy research areas and capacity building initiatives that should be undertaken. Zimbabwe is used as a case study for the application of the guidelines.

Principles governing democratic elections

The introduction to the SADC Principles posits that the constitutions of all SADC member states enshrine the principles of equal opportunities and

full participation of the citizens in the political process. In some countries, such as South Africa, this is true. However, in the constitutions of other countries these principles are less explicit. For example, the Zimbabwean constitution only notes, in section 21, that “no-one shall be hindered from assembling freely and associating with other persons and in particular to form or belong to political parties.” The more detailed principles and values relating to elections are not enshrined in the Zimbabwean Constitution but are instead only listed in section 3 of the Electoral Act. These principles are of such crucial importance that they should be given enhanced status by incorporating them as constitutional provisions.

The SADC Principles set out the responsibilities of SADC member states holding elections. The states must do the following:

- Take measures to ensure the “scrupulous implementation” of these democratic election principles;
- Establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel;
- Safeguard human and civil liberties of all citizens, including the freedom of movement, assembly, association, expression, campaigning and access to the media on the part of all stakeholders, during electoral processes;
- Provide adequate resources for carrying out democratic elections;
- Ensure that adequate security is provided to all parties participating in elections; and
- Ensure the transparency and integrity of the entire electoral process by facilitating the deployment of representatives of political parties and individual candidates at polling and counting stations and by accrediting national and other observers/monitors.

Section 2 of the SADC Principles provides that SADC member states **shall** adhere to certain principles in the conduct of democratic elections, namely:

- Full participation of citizens in the political process;
- Freedom of association;

- Political tolerance;
- Regular intervals for elections as provided for by the respective national constitutions;
- Equal opportunity for all political parties to access the state media;
- Equal opportunity to exercise the right to vote and be voted for;
- Independence of the judiciary and impartiality of the electoral institution;
- Voter education;
- Acceptance and respect of the election results by political parties proclaimed to have been free and fair by the competent national electoral authorities in accordance with the law of the land; and
- The ability to challenge the election results as provided for in the law of the land.

Some of these principles are further elaborated in section 7, which sets out the responsibilities of member states holding elections. The principle with regard to the impartiality of the electoral institution must be read together with section 7.4 of the SADC Principles which obliges a member state holding elections to “establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel.” In Zimbabwe, the Registrar-General of Voters has often been accused of blatant bias in favour of the ruling party and the method of appointment the Electoral Commission does not guarantee the Registrar-General’s impartiality and inclusiveness.

Section 7.4 further provides that member states must “safeguard the human and civil liberties of all citizens including freedom of movement, assembly, association, expression, and campaigning as well as access to the media on the part of all stakeholders”. Even when read together with later sections of the SADC Principles, and with other documents referred to in the Principles, the principles are sometimes stated so tersely that it is difficult to see what detailed criteria the observation team should use to judge whether a principle has been satisfied. For example, the principle of providing voter education does not indicate whether or not this should be the exclusive preserve of an Electoral Commission. What if that Commission is not sufficiently independent and impartial or, even if it is, what if it does not have

adequate resources to conduct a meaningful voter education campaign? The Zimbabwean Electoral Act provides that election monitors will be public servants appointed and deployed by the Electoral Commission. Many people have the perception that public servants will carry out their duties in a politically biased manner. It would therefore be far better if monitors were suitable persons drawn from civil society groups. These monitors would be trained in their duties and a code of conduct would be drafted to govern their behaviour. Another example is the principle that there should be equal opportunity for all political parties to access the state media. Given the key importance of access to the media for the purposes of campaigning, one would expect greater detail on the issue. For further guidance one has to look to other documents, such as the Guidelines and Principles for Broadcast Coverage of Elections in the SADC Region.

The SADC Parliamentary Forum Electoral Recommendations also contain useful commentary on the problems of equitable media coverage of elections. This document delves into the role of the private media, pointing out that,

In the majority of SADC countries the state-owned media is controlled by Government. This often causes imbalance in the playing field between the stakeholders, mainly the ruling party and opposition parties. It contributes to lack of transparency through selective reporting. Where the opposition parties are given air time, it is too short and the timing may be inappropriate. The recent emergence of a vibrant private media has greatly contributed to some balance in political coverage of both ruling and opposition parties.³

Election observation guidelines

Election observation can provide international validation of elections, which adds to the credibility of those elections. Election observation involves scrutinising and assessing an election to determine its impartiality in terms of organisation and administration. It invariably includes an assessment of the policy and actual formulation of the electoral law, and the role of electoral officials, security forces and politicians. Election monitoring is ongoing and is normally undertaken by local players. Thus, the SADC Parliamentary Forum recommends that government and political parties should recognise that observers are important for fostering transparency, integrity and institutionalising democratic processes.

When observing elections in member states, SADC observers are enjoined by the Principles to take into account the following criteria:

- Whether there are constitutional and legal guarantees of the freedom and rights of citizens;
- Whether there is a conducive environment for free, fair and peaceful elections;
- The principle of non-discrimination in voter registration;
- The existence of an updated and accessible voters' roll;
- The timeous announcement of the election date;
- Transparent funding of political parties based on an agreed legal threshold;
- The need for polling stations to be situated in neutral places;
- Vote counting at polling stations;
- The existence of a mechanism to help plan and deploy electoral observation missions.

Election observation is not mandatory

It is not obligatory for a SADC country holding elections to invite a SADC Electoral Observation Mission (EOM) to observe its elections. Section 3.1 simply provides that a SADC EOM will have an observation role only "in the event a Member State deems it necessary to invite SADC to observe its elections." This is unsatisfactory. In the interests of consistent application of the electoral principles, all SADC countries holding presidential or parliamentary elections should be obliged to invite a SADC observation team to observe its elections.

In addition, little is said about how the EOM should be composed except:

- The mission must be headed by an appropriate official from the Office of the Chairperson of the Organ on Politics, Defence and Security Cooperation (Section 6.1.10)
- The mission must comply with SADC policies relating to gender balance (Section 3.4); and

- Although members of the mission may come from different political parties, they should act together as a team (Section 3.4).

The predominant pattern thus far for the composition of SADC EOMs is that they are composed primarily of state actors and members of political parties from various SADC countries. In his paper entitled “Legal Questions in the harmonisation of Norms, Standards and Approaches to Electoral Observation in Southern Africa”, Tawanda Mutasah makes these important observations:

. . . to be meaningful, electoral principles have to be checked by impartial Observers. The Principles, in the way they are framed, restrict the power of identification of Observers to the Organ on Politics, Defence and Security Cooperation. Since the Executives are key players in electoral contests, it cannot be right for them to choose the referees for their own contest against opposition in their countries. Moreover, it remains a concern that this comes in the context where SADC leaders have either tended to maintain deafening silence regarding abuses of human rights in their neighbouring countries, or, when they have spoken, they have done so with water in their mouths.⁴

There is therefore a need to broaden the composition of such missions to include a far wider cross-section of people, for example, civil society groups from other countries, especially those that specialise in election-related matters, media experts and academics. This broadening of the expertise will enable specialist sub-committees to be set up to probe specific areas, for example, access to the media by political parties, thus enhancing the quality and credibility of the observation process.

Impartial and professional observation

It critically important that the persons appointed as observers act impartially and are generally perceived as impartial. Section 5.1.2 thus provides that the election observers must maintain strict impartiality in the conduct of their duties, and must at no time express any bias or preference in relation to national authorities, parties and candidates in contention in the election process. Section 5.1.3 provides that observers must not accept or attempt to procure gifts, favours or inducements from any person involved in the electoral process. Section 5.1.4 stipulates that observers must disclose immediately any relationship that could lead to a conflict of interest with their duties or with the process of the observation and assessment of the elections.

Clearly, observers must refrain from making premature judgements about the freeness and fairness of the elections before the elections have taken place.⁴ In this regard, section 5.1.13 provides that election observers “will refrain from making personal or premature comments or judgements about their observations to the media or any other interested persons, and will limit any remarks to general information about the nature of their activities as observers.”

It is important that final judgements about elections are based on carefully gathered, accurate information. Thus, in section 5, election observers must base all reports and conclusions on well-documented, factual and verifiable evidence from multiple credible sources as well as their own eye-witness accounts. They must seek a response from the person or organisation concerned before treating any unsubstantiated allegation as valid. In their reports they must identify the exact information and the sources of the information they have gathered and used as a basis for their assessment of the electoral process or environment. Finally, observers are enjoined to report all information gathered or witnessed by them honestly and accurately.

The observation period

The relevant electoral institution of the country holding the election is supposed to invite the SADC observation mission 90 days before the voting day in order to allow adequate preparation for the deployment of the mission. Section 4.1.10 merely provides that SADC EOMs should be deployed at least two weeks before the voting day. Although the deployment is supposed to be *at least* two weeks in advance of the voting day, given the lack of resources presently available for such missions, it is unlikely that the mission will arrive much before the two-week minimum period specified. This period of time is inadequate for any meaningful process of election observation. Elections are a process and the period leading up to the actual voting day is of critical importance.

Section 4 of the SADC Principles provides some guidelines for the observation of elections. These are supposed to be taken into account by SADC states in determining *the nature and scope of election observation*. (author’s emphasis.) Some of these guidelines are:

- Constitutional and legal guarantees of freedom and rights of the citizens;

- An environment conducive to free, fair and peaceful elections;
- Non-discrimination during the voters' registration;
- The existence of an updated, accurate and accessible voters' roll.

These factors can only be assessed over a period of time. For example, in Zimbabwe, there has often been widespread violence and intimidation, such as threats to withhold food relief. These tactics may be employed for several months and then may cease, or be toned down, when an observer mission arrives two weeks before the election. Thus, the damage to the freeness and fairness of the elections may have been done prior to the arrival of the observer mission and it then becomes difficult for the mission to investigate properly allegations of past violence and intimidation. This is especially true if the local police force have deliberately failed to investigate such complaints.

The SADC Guidelines should make provision for a monitoring team to be sent to the country concerned two months before the voting day to check whether the general conditions are in place for the holding of free and fair elections. Their mandate might include such things as unimpeded campaigning and an accurate, and up-to-date voters' roll. The main observation team should then arrive a few weeks before the voting day to observe the process during the period immediately prior to voting day, the process on the day, the vote counting, and the announcement of the results. This team should remain in the country for at least two weeks after voting day to check to ensure there are no reprisals exacted against voters for having voted in a particular fashion. If, after its departure, credible reports are received that voters are being subjected to violence because of the way in which they voted, the original observer mission should be obliged to investigate these reports.

Financing of observer missions

The necessary finance will have to be found to mount a two-stage process of monitoring and observation, and to extend the period of time that the main observation team spends in the country. However, the country in which the election is being held should be obliged to contribute at least a major share of the travel and accommodation expenses of the teams sent by SADC. All other SADC countries should also be required to contribute to an observer mission fund in accordance with their respective financial capacity. During Zimbabwe's March 2005 general election, South Africa and Mauritius appeared to provide the bulk of the finance.

All observer missions must be provided with a proper secretariat to service the whole range of needs of such a mission, including co-ordination and communication with the media and with the various political parties.

Comprehensive observation

To be credible, observers must be deployed throughout the country. It is particularly important that there should be proper observation conducted in remote rural areas, and that observers should not confine themselves to main urban centres. It is in the remote rural areas where there is the greatest scope for electoral irregularities. In order to achieve this dispersed deployment, it is imperative that there be a large delegation of observers who are properly funded.

Given SADC's resource limitations, it is important that SADC countries be encouraged to invite other regional and international election observation teams. In this way, the pool of observers will be increased. This is implicit in section 5.1.16 of the SADC Principles, which states that the SADC observers should work harmoniously with each other and with observers from other organisations in their area or deployment. International and regional observers should also communicate and liaise with local Zimbabwean monitors. Local monitors, with their intimate knowledge of local conditions, will be able to provide valuable insights.

SADC countries should not be permitted to extend invitations only to countries and organisations that they believe will rubber stamp their elections as being free and fair. For the March 2005 parliamentary elections in Zimbabwe, the government refused to invite observers from countries and organisations that had given negative reports on previous elections.⁵ Thus, no observer teams were allowed from the SADC Parliamentary Forum⁶, the United States, the Commonwealth, Australia, Japan, the European Union, Britain and other European countries that were critical of Zimbabwe's last parliamentary election in 2000 and the subsequent 2002 presidential election. The Congress of South African Trade Unions, Cosatu, was also not invited. On the other hand, invitations were extended to friendly states such as Tanzania, Namibia, China, Iran, Venezuela and Russia, as well as friendly organisations such as the Non-Aligned Movement and the African National Congress of South Africa.

There are inherent dangers if SADC countries can restrict election observation to just one observer mission sent by the Organ on Politics, Defence and Security Co-operation. One danger is that it becomes a

rather incestuous process. It will also create the suspicion that such an observer mission will not be impartial because it may not want too exacting standards to be applied in its own country when elections are held there.

Reports by SADC states

As part of the process of ensuring that SADC countries are equipped to conduct free and fair elections, states could submit written periodic reports to the SADC OPDS. These reports would outline which constitutional provisions, electoral laws and administrative structures had been put in place to meet the standards of the SADC Principles.

Consolidation and re-formatting of guidelines

The SADC Principles state that they are informed by SADC legal and policy instruments, but also by the major principles and guidelines emanating from the OAU/AU Declaration on the Principles Governing Democratic Elections and the AU Guidelines for African Union Electoral Observation and Monitoring Missions. There is also reference in the introduction to instruments such as the Charter and Conventions of the African Union and the United Nations. It is confusing to have to refer to instruments other than the main document and it is recommended that an attempt should be made to produce a single consolidated document incorporating the relevant sections from the various documents to which reference is made. It would also be useful to harmonise this consolidated document with other documents produced by other organisations that have had extensive experience in this field. For example, the Electoral Institute of Southern Africa and the Electoral Commissions Forum have published the *Principles for Election Management, Monitoring and Observation in the SADC Region*.

It is also recommended that the consolidated document should seek to emulate the style adopted in the SADC Parliamentary Forum Electoral Recommendations. In March 2001, the SADC Parliamentary Forum⁷ developed and publicised a series of recommendations for elections. These were a result of the forum's observation of elections in Mauritius, Mozambique, Namibia and Zimbabwe. The document was adopted by the plenary on 25 March 2003 in Windhoek, Namibia. These recommendations reflect contributions by each member state and enable a country's election

process to be measured locally, regionally and nationally. Under each topic, the Parliamentary Forum document clearly sets out problems that can arise and then goes on to make detailed suggestions about how these can be avoided. For instance, it points out that doubts have been expressed about the independence, impartiality and professionalism of some national electoral commissions. It suggests this problem might be overcome as follows:

- By affirming the independence and impartiality of the electoral commission in the constitution;
- By entrenching commissioners' security of tenure in the constitution;
- By ensuring the commission has its own budget voted by parliament; and
- By allowing the commission to appoint its own professional staff rather than seconding its staff from ministries.

Most crucially, it suggests a method of appointment of commissioners:

The commissioners should be selected by a panel of judges set up by the Chief Justice or the equivalent, on the basis of the individual's calibre, stature, public respect, competence, impartiality and their knowledge of elections and political development processes. The selection of commissioners should be done in consultation with all political parties and other interested stakeholders. The selected commissioners are to be approved by Parliament.⁸

This is helpful in explaining why independence and impartiality of electoral commissions is of such importance. It is also helpful to an EOM team in deciding whether the electoral commission in a particular country operates in a politically impartial manner.

Dissemination of SADC Principles to ordinary people

It is important that the SADC Principles be widely communicated to people in the various SADC countries. They should be translated into local languages and there should be radio programmes publicising them. In this way, ordinary citizens will be made aware of the principles that should be adhered to in order to ensure that elections are free and fair. They will also know the criteria that will be applied by a SADC EOM.

Are the SADC Principles legally binding?

Many authors have argued convincingly that the SADC Principles are not binding⁹ because they are subject to domestic law and only require observation by request. For the SADC Principles to have a meaningful impact, their status must be elevated and consequences of their infringement spelt out.

Tawanda Mutasah makes the interesting suggestion that consideration should be given to setting up “an African Electoral Commission that could assume a role as prestigious as the setting up of the African Court of Justice”. This, he says, could bring together and strengthen “the voice of election management bodies and civil society at the continental level.”¹⁰ He also advocates the establishment of a pan-African specialist database on electoral standards and best practice.

Conclusion

The SADC Principles are potentially a useful set of standards to judge whether a particular country has conducted elections that are free and fair. They will, however, only be useful if SADC governments ensure that they are fully implemented in practice. They should be made legally binding on all SADC states and should not be able to be watered down by domestic legal provisions. An audit of national laws to assess gaps should be lobbied for which should lead to electoral reforms and capacity-building activities that are tailor-made to suit member states’ different needs. The OPDS has a very important role to play in this regard. It should ensure that SADC states actually measure up to these standards. It should be compulsory that all SADC countries invite a SADC EOM whenever they conduct national elections. If the observation process is to be credible, however, the election observation needs to be done thoroughly and professionally by people seen as impartial. The mounting of such observation missions will obviously require considerable financial and human resources. Such expenditure can be fully justified, however, because if election observation is conducted superficially, without any proper probing of the conditions on the ground, the whole process will be discredited and SADC governments will be able to flout the SADC Principles. Properly conducted free and fair elections would remain merely a pipe dream in at least some of the countries in the SADC region.

The SADC Observer mission should not, however, be the only body allowed to observe elections in SADC countries. SADC countries should be encouraged to invite a variety of other observer missions, including from the

United Nations, from acknowledged non-governmental organisations with professional expertise in election observation such as the Electoral Institute of Southern Africa, and from a variety of other countries inside and outside Africa. What SADC countries must not be permitted to do is to cherry-pick observer missions, choosing only those that are likely to endorse the election even when gross irregularities have occurred.

Review of the SADC Principles document should be supported so that more details might be included which have a bearing on contentious SADC elections. Details which might be added include independence of the election management body, freedom of assembly, association, expression, citizenship, media freedom, political party funding, policing and the role of security forces in elections, and succession issues.

Lastly, conflict transformation mechanisms needs to be included in the document to deal with election-related disputes. Innovations like setting up a SADC Electoral Tribunal made up of independent judges should be lobbied for. This would expedite the impartial resolution of election-related disputes.

Notes

- 1 An earlier version of this paper was presented by Rindai Chipfunde on behalf of Zimbabwe Election Support Network (ZESN) at the ISS Policy Research and Capacity Building Workshop, Cape Town, December 1-2, 2005.
- 2 Excerpt from a document entitled Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers commemorated at the United Nations on 27 October 2005.
- 3 SADC Parliamentary Forum, Norms and Standards for Elections in the SADC Region, adopted on 25th March, Windhoek, Namibia, 2001, p 9.
- 4 T Mutasah, *Legal Questions in the Harmonization of Norms, Standards and Approaches to Electoral Observation in Southern Africa*, Paper presented at the SADC Parliamentary Forum Conference on the Review of Norms and Standards for Elections in the SADC Region, Maputo, November, 2005.
- 5 Before the March 2005 Zimbabwean Parliamentary elections, the South African President virtually endorsed, in advance, Zimbabwe's poll as free and fair. He told reporters that he could see no reason to think that "anybody in Zimbabwe will act in a way that will militate against elections being free and fair". Previously, Mr Mbeki's deputy, Mr Jacob Zuma had told the South African Parliament that he could not understand why some opposition parties were

predicting that there would be problems when Zimbabweans go to the polls on March 31. "I really don't know why we think there are going to be such problems in Zimbabwe," said Zuma. Thirty minutes after arriving in Zimbabwe, Mr Membathisi Mdladlana, the South African Labour Minister and leader the official South African observer mission, said that everything was "calm and smooth" and that the ballot would be conducted properly. Mdladlana also said that many people had drawn the conclusion that elections in Zimbabwe would not be free and fair. "Those people are a problem and a nuisance," he said. "But nobody attacks them. Some of us are fed up with their lies." Cited in the *Sunday Herald*, 27 March, 2005. See <www.sundayherald.com/48654>.

- 6 The Zimbabwean Electoral Act provides that observers have to be accredited by a committee dominated by nominees of various government ministers, including the President's Office, and only persons invited by a minister or by the Electoral Supervisory Commission (not the Electoral Commission) will be eligible for accreditation. This will mean that the ruling party will be able to control who is invited to observe the elections and it will probably try to invite only people who are likely to 'rubber stamp' the March 2005 election as being free and fair.
- 7 The SADC Parliamentary Forum has observed other elections in the SADC region. It observed the Zimbabwean presidential elections in 2002 and reported that they were not free and fair. The Zimbabwean government denies that it has refused to invite the Forum because of its negative report on the 2002 election. However, the Forum was refused permission to send a mission because the Zimbabwean government alleges the Forum is biased because it receives funding from Western governments.
- 8 The SADC Parliamentary Forum (SADC PF) is a regional organisation of 12 parliaments in the SADC region with 37 parliamentarians (men and women, and from both ruling and opposition parties).
- 9 SADC Parliamentary Forum, op cit, p 10.
- 10 See for example A Tsunga, "SADC Principles and Guidelines governing Democratic Elections Analysis: A bird's eye view", unpublished, <www.mpobservatory.org/pdf.tsunga.pdf>; and Mutasah op cit, 2005.
- 11 Mutasah, op cit.

CHAPTER 7
**KEY CHALLENGES FOR HUMAN SECURITY IN
BOTSWANA: MAPPING A POLICY RESEARCH
AND CAPACITY-BUILDING AGENDA**

David Sebudubudu

Introduction

The UNDP introduced the issue of human security and placed it on the agenda in 1994. Since then, human security has become a highly contested issue. With the reclassification of security to include the human element, “practitioners and theorists alike widened the definition of security and started categorising a whole range of issues, from economics through the environment to HIV/AIDS, as security issues”.¹ The UNDP noted that in order “to address the growing challenge of human security,” development has to situate “people at the centre”.² According to the UNDP,³ sustainable development “gives the highest priority to poverty reduction, productive employment, social integration and environmental regeneration. It brings human numbers into balance with the coping capacities of nature”. This links the security of the country with that of the individual. Thus, Dumas has explained it as follows:

Personal security is not just a matter of avoiding or ameliorating sudden negative changes. It also implies an ability to carry on a normal flow of life activities without constant stress or worry. A person who is continually struggling to meet basic material needs, living in a precarious balance between income and outflow, can scarcely be said to be secure. Similarly, a person who constantly weigh[s] every opinion he/she expresses against the possibility of punishment for having spoken out is also not secure. Thus, societies organized in ways that perpetuate poverty and inhibit free political expression cannot be considered conducive to personal security. In sum then, personal security requires at least a decent material standard of living, along with reasonable assurance that it will continue (or improve).⁴

It is in this context that the definition of security now goes beyond the conventional/narrow military understanding of security which prevailed during the Cold War, and emphasises the security of people. According to the 1994 UNDP definition, human security entails seven interconnected elements: “economic, food, health, environmental, personal, community and political security”.⁵ The wider definition suggests that the security of

the state, without that of the individual, is baseless. It is in this sense that the security of the individual or human security has taken centre stage. In this way, policy-makers need to identify factors which inhibit the realisation of human security as envisaged by the UNDP. This is particularly important because the security of the state is fragile as long as its population is afflicted by the foregoing problems. Since the introduction of the concept of human security in 1994, several countries – as well as the Southern Africa Development Community (SADC) region – have embraced this notion in their policy frameworks. Subsequently, countries also embraced the eight Millennium Development Goals (MDGs) in 2000, an indication that they take the notion of human security seriously. The challenge that remains is to work towards the realisation of the MDGs, with Sub-Saharan Africa being the worst affected as far as issues of poverty and food insecurity are concerned. Having said this, the next section identifies the areas for policy research and capacity building in SADC.

Locating areas for policy research and capacity-building

Since its introduction, the notion of human security has been embraced by SADC in its policy structures. Nathan⁶ noted that SADC was formed in 1992 “as a regional organization with a mandate to promote economic integration, poverty alleviation, peace, security and the evolution of common political values and institutions”. Accordingly, “SADC policy contains [through its policy documents such as the Regional Indicative Strategic Development Plan (RISDP) and the Strategic Indicative Plan for the Organ (SIPO)] clear references to human security principles in its recognition of the importance of peace, sustainable development, peacemaking and peacekeeping in attaining conditions of sustainable peace”.⁷ However, SADC is far from attaining these goals. Osei-Hwedie contends that,

Undoubtedly, the Southern African Development Community (SADC) region suffers from the worst threats to peace and security compared to other regions in the world. The region fares badly on the UNDP’s seven dimensions of human security as it faces multiple challenges to its peace and security. Currently, peace and security are threatened more from domestic sources rather than from without. Poverty, famine, civil wars, ethnic and racial tensions, political instability, declining economic growth rates, increasing inequalities, high unemployment, skewed and unequal land distribution, border disputes, bad governance of brutal dictatorial regimes devoid of rule of law, energy scarcity, HIV/AIDS and high levels of crime are some of the afflictions threatening peace and security in the region.⁸

The foregoing problems constitute a potential crisis for individual SADC countries and therefore require serious consideration. The RISDP also identifies poverty eradication and HIV/AIDS, amongst others, as key priority areas. With regard to poverty, the RISDP states that “poverty in all its dimensions is one of the major development challenges facing the SADC region. The poverty situation in the region is largely reflected in the low levels of income and high levels of human deprivation”, with 70% estimated to be living below the poverty line.⁹ The SADC region is home to many poor people, yet most of the SADC countries are endowed with natural resources. Similarly, HIV/AIDS is a major security threat in SADC. The RISDP¹⁰ points out that “the SADC region faces a severe HIV and AIDS pandemic,” and “this has now reached crisis proportions”. For Nathan,¹¹ “the most pressing security concerns of SADC countries ... can be found in the domestic arena”. These concerns include poverty and underdevelopment, the politico-military security sphere, and HIV/AIDS. “They are security concerns because they, directly or indirectly, may lead to political instability and weaken the state”.¹² Under such conditions, the security within states remains fragile. For Johan Galtung,¹³ all these ills which are regarded as a threat to security in terms of the UNDP definition of human security represent “structural violence” in the society, and thus “the absence of structural violence” or the realisation of “social justice”, entails “righting wrongs”. In this way, “the absence of structural violence” can only be realised if citizens enjoy the different interconnected elements of human security being: economic, health, food, personal, political, environmental and community security.

Democracy, development and security in Southern Africa

Since the ‘third wave of democratisation’, most countries (including many in the SADC region) have embraced multi-party democracy. This is partly because democracy is the least worst system when compared to other systems of government. The introduction of multi-party systems in formerly one-party systems or autocratic regimes in a number of SADC countries in the 1990s “made the SADC region one of the most promising in Africa”.¹⁴ Countries are not only encouraged to embrace democracy because it functions on the basis of checks and balances but also because “a fully functional democracy provides greater security in the sense of protection against widespread and arbitrary violations of civil liberties”. And “under such a government, individuals are freed from the insecurity that arises from having to consider the potentially severe consequences of publicly expressing their political, social or religious views”.¹⁵ Thus, although democracies “cannot be relied upon to prevent war”, they have certain features “that can increase their

internal security at the same time that they reduce the likelihood that conflict between democratic nations will erupt into war".¹⁶ Dumas argues that "democracies are internally structured to allow for the open expression of dissenting points of view and provide non-violent avenues for building broader political support for those positions through persuasion".¹⁷ Similarly, (as noted above) development can promote security if it is people-centred and promotes social justice or what Galtung¹⁸ called "vertical development". However, Dumas contends that:

In the long run, ... both political and economic democratization have great advantages in fostering and sustaining real, widespread economic development. Since widespread, inclusive economic development makes it easier for the vast majority, if not all, of the population to meet their basic economic needs – an important component of personal security – in this sense too, democratization is an effective security strategy.¹⁹

Thus, in order to promote security, all the elements of human security need to be taken into account. In this sense, global security can only fall into place if economic development is a gainful exercise for the majority, if not for all. "High levels of economic and social inequality are detrimental to security because they certainly diminish the quality of democracy and may threaten its stability as well".²⁰ Dumas (quoting Lamounier) thus rightly pointed out that:

A society's crime rate is related to its level of social inequality/poverty to some degree, even if the two phenomena do not correlate one to one. And high levels of crime can negatively, affect both the quality and stability of democracy... Even the best-intentioned politicians may resort to repression or find themselves facing problems of corruption or police extortion when dealing with astronomical crime rates ... Through a sudden spike in the crime rate, a democracy can degrade abruptly ... Furthermore, a sudden economic downturn when widespread economic insecurities already exist, can ... quickly affect the institutional stability of democracies.²¹

These problems are most likely to be severe in young democracies, which are undergoing rapid transformation with a narrow economic base. Thus, economic development without social justice does not promote human security. In this way, security can be enhanced by ensuring economic relationships are balanced.²²

Land, Food and Environmental Security Issues

Land, food and environmental issues are also areas that need urgent attention if human security is to be realised. Land in the SADC region is a politically sensitive issue especially in former settler states such as South Africa and Zimbabwe. Recently in Zimbabwe, a land reform programme that was meant to give land to the landless blacks gave rise to political and economic volatility. With regard to land and the environment, the SADC RISDP²³ noted that “the policies of environment and land management are designed to assess environmental conditions for sustainable development; reduce threats to human health, eco-systems and future development; manage shared natural resources on an equitable and sustainable basis; and accelerate regional integration and capacity building”. This demonstrates that SADC appreciates the importance of good management of land and environmental issues. This is particularly the case because it would be difficult to attain other aspects of human security if land and the environment are not managed in a sustainable way. Similarly, food insecurity remains a key challenge for most countries in SADC with some of them having experienced food shortages in recent years. For instance, “Zambian President Levy Mwanawasa (on 21 November 2005) declared a national disaster and appealed to the international community for food aid after government estimates showed that 1.2 million people face famine”.²⁴ The production of sufficient food in the region is closely linked to issues of sustainable land and environmental management. Therefore, in order to enhance human security, there is need for the SADC region to improve access to food, and enhance food availability as well as its nutritional content.

Country study: Botswana

Botswana has, since its independence in 1966, functioned as a multi-party democracy and has enjoyed relative stability in a continent that is generally characterised by political volatility. However, this multi-party democracy is dominated by one particular party: the Botswana Democratic Party (BDP) which has been in power since independence. The BDP won all nine successive elections but its popular support has declined over time. Although it was one of the poorest countries in Africa at independence, the discovery of diamonds immediately after independence has transformed its economy in many respects. With abundant revenues mainly from diamonds, the government invested a lot of resources in infrastructural development. Its economic record has earned it middle-income status in terms of World Bank

rankings. In this way, Botswana is today regarded as a political and economic success story in Africa.

However, Botswana's success and developmental record is not without contradictions. Sebudubudu²⁵ observed that "the Botswana state faces a number of challenges, such as poverty, inequalities, over-dependence on diamonds and unemployment, which are a threat to its developmental achievements" if the country is to continue to enjoy its relative stability. In addition to these challenges, HIV/AIDS has since emerged as the biggest threat of them all. Sebudubudu and Osei-Hwedie underscore the same point. They noted that:

Poverty and unemployment continue to plague a large number of citizens in spite of the middle income status of the country. Although poverty has declined from 59% in 1986, to 47% in 1994, to 36% in 2001 and to 30% in 2003, unemployment has remained high, increasing from 21% of the labour force in 2001 to 24% in 2003. Similarly, income inequality among households increased slightly between 1993/94 and 2002/03.²⁶

These figures suggest that not only do a substantial percentage of citizens continue to live on the edge of the economy or are faced with what Johan Galtung referred to as "structural violence",²⁷ but that these challenges are particularly serious and intense. As long as a large number of citizens continue to experience these problems, Botswana's security remains insecure. As a way of showing its commitment to addressing these problems, the Botswana state has embraced the MDGs: "We willingly associated ourselves with the logic of the MDGs because we see poverty as an emergency all countries should do all they can to overcome so that human beings will, wherever they are, have opportunities for healthy and sustainable livelihoods".²⁸

Conclusion

The paper has identified and discussed areas for policy research and capacity-building in Botswana as well as in the SADC region. It argued that for Botswana and the SADC region in general to enjoy human security and lasting peace, the populace needs to enjoy the interconnected elements of human security: economic, health, food, personal, political, environmental and community security. It also noted that efforts are being made to address these problems. SADC has not only identified these as key areas of priority and intervention (as reflected in its policy documents, the RISDP and the SIPO), it has also embraced the MDGs, suggesting it does take human security seriously.

Notes

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- 3 Ibid.
- 4 L Dumas, Building Security by Building Democracy and Balanced Economic Relationships, in G Harris (ed), *Achieving Security in Sub-Saharan Africa: Cost Effective Alternatives to the Military*, Pretoria, Institute for Security Studies, 2004, p 76.
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- 6 L Nathan, *Organ Failure: A Review of the SADC Organ on Politics, Defence and Security*, paper presented at the workshop: Creating the Foundation for SADC Regional Security Integration: Developing Shared Values and Ideas, Johannesburg, South African Institute of International Affairs, 2003, p 1.
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- 8 Osei-Hwedie, op cit, p 17.
- 9 Southern African Development Community (SADC), undated document, Regional Indicative Strategic Development Plan, Gaborone, SADC House, pp 15-16.
- 10 Ibid, p 18.
- 11 Nathan, op cit, p 19.
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- 15 Dumas, op cit, pp 79-80.
- 16 Dumas, ibid, p 80.

- 17 Ibid.
- 18 Galtung, op cit.
- 19 Dumas, op cit, p 86.
- 20 Dumas, ibid, p 87-88.
- 21 Dumas, ibid, p 88 (quoting Lamounier).
- 22 Dumas, op cit.
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CHAPTER 8

PROSPECTS FOR NATIONAL DIALOGUE IN ZIMBABWE

Brian Raftopolous

Introduction

As Zimbabwe entered 2005, the need for national dialogue and reconciliation was more apparent than ever. The ruling party had, by the end of 2004, emerged from a bruising succession battle during which some of its key leaders had fallen, and during which a continuing legacy of internal ethnic struggles marked the politics of Zanu PF. The language of desertion, betrayal, treachery and lack of patriotism remained the staple fare of Zanu PF's characterisation of perceived enemies within and outside of the ruling party. Additionally, President Robert Mugabe persisted in his belief that the main opposition party, the Movement for Democratic Change (MDC), had an external, foreign agenda, and did not qualify as a 'national' political entity. This location of the MDC outside of legitimate national discourse provided the pretext for Mugabe's continual refusal to accept the need to engage in constructive dialogue with them. It also set the context for the international dimension of Mugabe's political message, which had emerged in the 2000 general election, marked the 2002 presidential election, and would once again be the refrain in the 2005 general election. This message explained the political battle in Zimbabwe as essentially about land, a choice between a liberation movement and its former colonial oppressor. As Mugabe stated in December 2005: "Leave us alone Blair with our own property. Britain belongs to the British and America to the Americans, so why worry about our country?".¹ Mugabe felt strengthened after the succession battle of December 2004, which saw his preferred candidate for the Deputy Presidency of his party, Joyce Mujuru, emerge the winner, thus consolidating his own hold on power.

The President of the opposition MDC, in contrast, pressed for an urgent dialogue between the two major parties. In a desperate plea in December 2004, Morgan Tsvangirai addressed Mugabe and his leadership thus:

To the new Zanu PF leadership, I welcome you with same old message. I am still holding out the olive branch. An opportunity for a rapid turnaround of our fortunes is still possible. Zimbabwe requires

a soft landing. May I call, once again for a search for a political solution before it is too late. We must check our national transition in order to realise a win-win situation. There is no way out of the crisis, we remain deeply concerned that the grass is now so dry that any form of carelessness, in particular within the next two to three months, could lead to an inferno.²

For the opposition, there seemed little alternative to peaceful national dialogue at the end of 2004. They had suffered continuous brutalisation from various state agencies; two major election defeats under electoral laws and conditions that precluded a free and fair election; persistent marginalisation and demonisation by the public broadcasting system; and a series of their own strategic blockages and blunders. The path of peaceful dialogue now seemed the only way forward. Confronted with a determined authoritarian state with vast repressive capacity and an undiminished will to deploy coercion, the MDC expended its lobbying efforts. It worked in the region and internationally in attempts to push the ruling party into a national dialogue. The South African government (the key regional player in the Zimbabwean debate) and SADC officially shared this objective for national dialogue, even though President Mbeki's policy of 'quiet diplomacy' provided essential diplomatic solidarity for the embattled Zimbabwean government.

For the South African government, the primary imperative for much of the Zimbabwean crisis has been to ensure a stable state in Zimbabwe. In the analysis of the Mbeki government, this strategy has centred largely on a reformed Zanu PF engaging the weaker MDC in a national dialogue that would maintain the opposition in a subordinate position. From the South African government's perspective, the MDC remains an unreliable factor. It has no capacity to engage and control the Zimbabwean armed forces, and too close a relationship to the western concept of 'regime change,' yet it has a clear national base within in Zimbabwe. The central problem with the Mbeki strategy, however, has been the intransigent Mr Mugabe, and key forces of support around him; they have consistently refused to provide the reform scenario that could justify 'quiet diplomacy'. Against such an entrenched unwillingness by recalcitrant forces within Zanu PF to engage in national dialogue, hope for a new dispensation in Zimbabwe has remained elusive.

It is worthwhile recalling the conditions that brought about earlier periods of reconciliation and national dialogue in post-colonial Zimbabwe. In 1980, on the basis of the 1979 Lancaster House agreement, the government declared a policy of national reconciliation with its former settler adversaries. This policy was determined largely by a combination of national regional and international

factors. They gave rise to the compromises of the Lancaster House agreement, as well as the internal dynamics of the politics of the liberation movements, which necessitated a period of stabilisation for Zanu PF (to establish its control of the state) and for Mugabe (to consolidate his power within Zanu PF).

However, while the policy of reconciliation resulted in a temporary peace between the nationalists and their former white settler adversaries, it was also a period in which the Zanu PF government established its pre-eminence over its rival PF-Zapu as the party of government. The Gukurahunde movement represented the modality for such a consolidation, while its denouement, the 1987 Unity Accord, represented the legal framework for the incorporation and subordination of a former liberation rival. Thus, while the language of reconciliation was used to construct the interregnum relations with the former settler forces, the discourse of unity was the preferred appellation for the hegemony of Zanu PF over PF-Zapu.³ However, in both cases, (the policy of reconciliation and the Unity Accord) the common denominator was the consolidation of party/state rule by Zanu PF. When continued rule by Zanu PF was threatened in the late 1990s, the policy of reconciliation was discarded, and the notion of national unity and belonging was defined and applied in increasingly selective and repressive terms. It should be clear, therefore, that any notion of establishing a renewed period of reconciliation politics and national dialogue must recognise these concepts as intense arenas of struggle, and the basis for future consolidation.

Clarity on this issue is necessary to understand the present unwillingness of the ruling party to engage in such a national process. The Mugabe regime has consolidated its hold on both state power and central economic resources. It is therefore very unlikely that the regime will engage in any political opening-up that could threaten its central power base. The basis of its power has been constructed with a large measure of coercion and violence against its citizenry, a long-term feature of liberation movement mobilisation structures. The ruling party therefore has little proclivity, or indeed capacity, to shift the basis of its rule to a more consensual model of governance. Therefore, those who hoped that the general election of 2005 would provide the basis for a renewed national dialogue, and an opening for renewed legitimacy of the Mugabe government, always had to overcome considerable obstacles. Not the least of these obstacles was the ruling party's consistent use of violence as an election strategy. Kriger has pointed out that,

Organised violence and intimidation of the opposition, albeit of varying intensity, has been a recurrent strategy of the ruling party before, during and after elections to punish constituencies that dared

oppose it... ...Besides coercion, Zanu (PF) has also engaged in a political discourse that demonises its key opponents as reactionary, subversive, and often stooges of whites and/or foreigners.⁴

Election 2005

It is against this background that the 2005 general election needs to be understood. All the political forces engaged in the Zimbabwean crisis had particular hopes and agendas around this election. Zanu PF hoped the election would provide the vehicle through which it would settle its legitimacy problems at both national and international levels, while consigning the opposition MDC to an increasingly irrelevant role. In order to carry out this objective, Zanu PF proclaimed its official adherence to the SADC electoral guidelines agreed in Mauritius in 2004, while applying those provisions more cosmetically than practically. Two reports on the pre-election conditions in the country did not provide much cause for hope. A report by the Zimbabwe Lawyers for Human Rights concluded:

The submissions and conclusions drawn in this report present a picture that Zimbabwe has failed, on most accounts, to ensure a free and fair electoral process in the run-up to the polling date on 31 March 2005. Although some efforts have been made to consider the SADC Principles, most are merely cosmetic. In view of the legislative framework, there is still a long way to go and much work to be done before such aspirations are realised.⁵

A report by the Zimbabwe Human Rights Forum also found little to celebrate in the Zimbabwe's pre-election conditions:

Much of the damage to the democratic process has already been done. The chief culprit this time around, ahead of violence and the closure of democratic space, is the politicisation of food handouts.⁶

Notwithstanding the unfavourable electoral conditions, the opposition MDC entered the election race. It initially suspended its involvement in all elections on 25 August 2004 until the Zimbabwean government had shown sufficient adherence to the SADC norms and standards. The official reason given by the MDC for rescinding its 2004 decision to suspend involvement in elections was that during consultation with its membership, the latter expressed an overwhelming resolve to participate. However it is more likely that the MDC's decision to participate was based on several other factors,

namely, the absence of a viable alternative strategy to engage the regime, the possibility that abstention could have split the party, and pressure from regional and international governments. For SADC, in general, and the South African government in particular, the election was an opportunity to bring Zimbabwe back into the fold of legitimacy, and move the Zimbabwean crisis off the regional and international agenda. To achieve this objective, regional governments and the AU were more than happy to settle for the Zimbabwe government's minimal adherence to the SADC norms and standards as proof that Mugabe was moving towards a reform agenda. For the European Union and the United States, the election also provided a slight opportunity to bring Zimbabwe 'back into the fold', with the international community feeling increasingly frustrated because of the limited success of their diplomatic efforts to pressurise the Harare government to change political direction. Indeed, there were some indications of divisions within the EU over the Zimbabwean question. However, Zanu PF's decision to exclude a wide range of Western observers, and its lack of progress in the reform of election conditions, meant that there was little likelihood the election would be viewed favourably by Western governments.

Given the conditions under which the election took place, the outcome was predictable. Zanu PF won 78 seats (in addition to the 30 seats already constitutionally under the control of the President), the MDC won 41 seats and one seat went to an Independent. Moreover, the manner in which the ruling party 'won' the election and the tone of its campaign provided little indication that Zanu PF was interested in resuming the national dialogue after the election. A report by a coalition of Zimbabwean human rights groups characterised the outcome of the election as follows:

The election was not what it should have been, a contest between two political parties. The battle was really between the ruling elite and the governed. The distinction between the State and Zanu (PF) has virtually disappeared. Zanu (PF) was able to mobilise all the resources of the state, human and financial, administrative and coercive, to support its campaign. The electoral authorities made no effort to proscribe or limit abuses of this nature. This was not only a huge and unfair advantage in itself, but enabled Zanu (PF) to present itself as being the sole party with the power to deliver, and personified this in the powerful figure of Mugabe himself. In a context where a large proportion of the electorate is held hostage to government food handouts many voters, particularly those in the rural areas, find it expedient to vote not for the party they want to win, but for the party they think will win.⁷

The tone of the ruling party's campaign left little doubt that the opposition were local extensions of outside forces, with 'unpatriotic' intentions. As the Zanu PF election manifesto proclaimed:

The March 2005 Parliamentary Elections are set to take place against the backdrop of greater, more desperate, attempts by Britain's Labour Government to effect 'regime change', so that Zimbabwe is re-colonised and placed under the pliable puppet government that Blair hopes to use to restore white settler kith and kin.⁸

The entire thrust of the ruling party's media campaign was used to divide Zimbabweans rather than provide a bridge for future national dialogue and reconciliation. Even the popular music broadcast as a political tool was used to recall memories of the liberation struggle and to link the enemies of that struggle to opposition politics in 2005. As a recent report noted about the use of radio and television jingles during the 2005 campaign:

...nothing much has changed in terms of how music of the pre-1980 'resistance' is used, save that the colours of the enemy have slightly changed. The dichotomies and symbolism remain the same: Tsvangirai is characterised as another puppet, just like Muzorewa, Chirau, Chikererna, and Joshua Nkomo before him. The real 'people' are Zanu PF...⁹

Thus, the pre-election conditions, the conduct and tone of the election campaign, and the fact that the election outcome re-established the divided international position on Zimbabwe, meant that Mugabe's legitimacy and that of his government remained a major issue. Characteristically, faced with continued international opposition, the Mugabe regime did not seek a political compromise, but went on the offensive against both external and internal 'enemies'. Confronting the range of external forces against his government, Mugabe repeated his accusations that those in the West who continued to oppose him did so because of his attempts to address colonial injustices, specifically around land. Criticisms of his governance and human rights abuses were dismissed as the hypocritical outbursts of former colonial powers. The international stand-off on the Zimbabwe question thus persisted.

Internally, the government targeted several groups. NGOs had been under attack since 2004, in the form of an NGO bill that threatened to shut down all civic organisations receiving foreign funding for governance-related activities. This major threat kept human rights NGOs occupied trying to fight the bill during much of 2004 and early 2005. For the most part, these NGOs

were then unable to carry out their core functions, including preparations for the 2005 election. This threat to NGO activities included church-based groups, and thus also drew large numbers of churches into a dispute with the state over what they considered 'God's work', which should not be prescribed by the state. The labour movement was also attacked by the state, both before and after the March election. Amongst other things, its premises were raided and visiting delegates from the Congress of South African Trade Unions (COSATU) delegates were expelled in February 2005.

The government has sought to control and severely undermine the critical functions of civic groups (like NGOs and the labour movement) to increase its authoritarian grip and ensure fewer critical responses from this sector in the face of the government's persistent legitimacy problem. The government's restrictions on the independent press were re-emphasised in the July decision of the Media and Information Commission (MIC) to refuse permission to the Associated Newspapers of Zimbabwe (ANZ) to publish *The Daily News* and *The Daily News on Sunday*.

Together, these attacks on the civic and media space indicated a gradual closure of the political space in which political dialogue involving civil society might have occurred. Significantly, however, these attacks were made in the name of the rule of law, a claim made by other historically authoritarian regimes. Such a claim brings to the fore a central question once raised by Mahmood Mamdani: "What happens when the state resorts to law to violate rights?".¹⁰

Operation Murambatsvina

In May 2005, the government launched Operation Murambatsvina (roughly translated as 'remove the filth', an operation that set out to remove informal settlements in all the major urban and peri-urban areas in Zimbabwe. The official reasons given by the state for the operation included: the arrest of disorderly urbanisation; the clamping down on illegal economic activities such as foreign currency dealings; and the reversal of environmental degradation caused by urban agricultural practices. In the end, whatever the reasons, the operation was devastatingly destructive. According to the UN Special Envoy's report, as a result of Operation Murambatsvina an estimated 700,000 people in the cities lost 'either their homes, their sources of livelihood or both', while a further 2.4 million people were indirectly affected. The Special Envoy's report was unambiguous about the effects of the operation, and the first two of its findings make this clear:

- i. Operation Restore Order, while purporting to target illegal dwellings and structures and to clamp down on alleged illegal activities, was carried out in an indiscriminate and unjustified manner, with indifference to human suffering, and, in repeated cases, with disregard to several provisions of national and international legal frameworks.
- ii. Even if motivated by a desire to ensure a semblance of order in the chaotic manifestations of rapid urbanisation and rising poverty characteristic of African cities, none the less, Operation Restore Order turned out to be a disastrous venture based on a set of colonial-era laws and policies that were used as a tool of segregation and exclusion.¹¹

The condemnation by the UN was echoed in several other reports. The Solidarity Peace Trust's judgement on the operation noted there 'is no precedent in Southern Africa for such a movement of people in a nation supposedly not at war with itself'.¹² The Zimbabwe Congress of Trade Unions (ZCTU) laid the blame for the Operation squarely at the feet of the ruling party. A ZCTU report on Operation Murambatsvina observed that:

The whole issue of illegal structures comes back to Zanu (PF). They promoted lawlessness when they let war veterans settle themselves wherever they wanted. They have set up unregistered housing cooperatives and have created illegal settlements; people are just following the precedent set by the party. If the issue is truly about hygiene and cleanliness, therefore government is barking up the wrong tree because it is mainly their policies and actions that have encouraged the informalisation of the economy. The informal economy is simply a reflection of the state of the economy, and hence a symptom of the problem and not the problem itself. If the exercise were targeting criminal elements, a more selective approach would have been appropriate.¹³

It is important to note that Operation Murambatsvina amounted to an attack on a major social and economic base of the urban sector. It was, in the words of the ZCTU, a 'unilateral, strong-hand indiscriminate approach which created a humanitarian crisis'.¹⁴ Moreover, the attacks reaffirmed the government's longstanding antipathy towards urban citizens, long regarded as enemies of the ruling party and not sufficiently grateful to 'those who brought freedom to the country.' This large-scale assault on the livelihoods of urbanites followed a number of years of interference and undermining of MDC-dominated urban councils and, as already noted, a broader attack on urban civil society. The combination of these processes has resulted in

a political refusal to acknowledge the rights and representatives of large numbers of Zimbabwean citizens, thus proscribing opportunities for national dialogue. Thus, while the ruling party has extended the power of traditional authorities in the rural areas (thereby failing to democratise rural governance structures), it has also restricted the space for democratic participation in urban areas.

Going it alone

In foreclosing any new opportunities for national dialogue and reconciliation, the Mugabe government has set a determined course to go it alone within the country. In line with such a course, the government passed the Constitution of Zimbabwe Amendment (No. 17), which effectively sounds the death knell for some of the central tenets of any modernising state. Clause 2 of the Amendment allows almost any land in Zimbabwe to be subjected to state appropriation, and no formal process is laid down for the acquisition of such land. Moreover, people whose land is acquired under this law will not be allowed access to the courts to challenge the legality of the acquisition. The enactment of this law grossly undermines the right to property, the economic effects of which are likely to deepen the economic crisis, nullifying any form of security for investment and long-term economic planning. An assessment of post-election economic conditions concludes that the government's recent economic decisions have had three effects:

They have allowed the regime to reward its leading followers; obtain the resources needed to maintain minimal levels of state capacity, and to retain the support of the military, the police, and the traditional chieftaincy. However, second, they have systematically undermined the society's capacity to generate resources it needs to continue this process in the longer term, and therefore makes it more and more difficult for the regime to finance itself without inflicting further costs on the economic and social system. And third, it has also involved the forcible transfer of massive resources from almost every social group in the society, and not just the white commercial farmers that captured the attention of the west. Few members of the indigenous population have been able to avoid these exactions and many of them now face life-threatening and politically generated shortages of food, medicines, jobs and savings.¹⁵

Also part of the constitutional amendment is a clause to re-introduce a senate, partly under the patronage of the President. The senate could provide yet another means of rewarding Zanu PF supporters but it will take place

under conditions of economic collapse. This political trajectory indicates the ruling party's determination to turn way from the popular demand for a more open constitutional reform process that marked the period from 1998-2000, thus scorning once again a major opportunity to re-engage its citizenry in a national political dialogue. Such an initiative could have resulted in both a broad healing process, provided the space to navigate toward a new political dispensation, and found a path toward renewed national legitimacy. The constitutional debate from 1998 to 2000 was the first and only substantive popular national dialogue of the post-colonial period. It was carried out in conditions of relative openness, at a time when the ruling party felt compelled to engage Zimbabweans on their views of the future governance of the country. This period was a benchmark of possibility, but as it proved, also a time of real threat to the future of Zanu PF. Since then, President Mugabe and his party have taken a decisively repressive turn in their political strategies, unwilling to risk any major opening up of political space for fear that the momentum of opposition forces could once again expose the vulnerabilities of Zanu PF rule. A member of parliament for the opposition MDC, Tendai Biti, has summarised the cumulative effects of constitutional manipulation by Zanu PF in the post-colonial period as follows:

The centralisation and concentration of power in the Executive Presidency as codified by Constitution Amendment No.7 (1987) was a mere recording of the process of substitutionalism that had taken place in the last 8 years. Over the years the ruling party had substituted itself for the masses of Zimbabwe that had voted it overwhelmingly into power in the election of February 1980. The Central Committee of the party had in turn substituted itself for the party. The Politburo had substituted itself for a Central Committee that had substituted itself for the party, a party that has substituted for the people of Zimbabwe.¹⁶

Biti concludes that 'if the constitution exists as a fundamental basic law, capturing the country's aspirations and values and guaranteeing citizens' rights and curtailing arbitrariness, then the Constitutional Amendment No. 17 is a death knell to this concept'.¹⁷

For the moment, therefore, President Mugabe remains adamant in his isolation, and his unwillingness to enter into a dialogue with any national opposition forces. Instead, he insists that the ruling party will only speak to the MDC in parliament. Moreover, by his insistence on the 'illegitimacy' of the national opposition, Mugabe proposes that, rather than engage in any discussions with the MDC, the only person he will talk to is British Prime Minister Tony Blair. In an attack on those forces calling for Zanu PF-MDC discussions, Mugabe stated:

Today we tell all those calling for such ill-conceived talks to please stop misdirecting their efforts. The rest of the world knows who must be spoken to, we tell them here at Heroes Acre that the man to be spoken to in order to make him see reason resides in Number 10 Downing Street. This is the man to speak to and those at Harvest House (the MDC headquarters) are no more than his stooges and puppets. What does it pay us to speak to them? We would rather speak to the principal.¹⁸

Clearly, the recent implosion of the opposition MDC has strengthened the hand of the ruling party, and provided even less incentive for Mugabe to engage in a national dialogue with opposition forces.

Conclusion

As the Zimbabwe crisis extends into another year, the absence of national dialogue remains a deeply disturbing feature of the political landscape. As President Mugabe and his ruling party entrench their repressive political domination, the need for new initiatives to break the legitimacy stalemate in Zimbabwe is more urgent than ever. In the near future, given the debilitating divisions that have emerged in the MDC, it appears highly unlikely that internal opposition forces will be able to build up sufficient pressure to force Zanu PF into a political compromise. Moreover, there is little indication that regional powers will depart from their position of solidarity with Mugabe in the current standoff with the West whatever pressure they have put on him in private. The rapidly declining Zimbabwean economy clearly presents the Zimbabwean government with enormous problems of sustainability. However, such constraints will not translate automatically into a more pliant stand on the part of the government. This situation is more likely to result in a more authoritarian reaction by the state. There is a dangerous impasse in Zimbabwe at a time when national dialogue has never been more in demand.

Following from this country study of Zimbabwe, there are several research questions relating to human security that can be raised:

1. Is there a tendency for authoritarian nationalist regimes to emerge, or consolidate themselves in the face of national opposition and global neo-liberalism?
2. What is the alternative to SADC's diplomatic solidarity with authoritarian states in relation to the 'New Imperialism'? Can civic forces in the region develop more democratic forms of anti-imperialist solidarity that seek to confront both 'Empire' and national repression?

3. What are the alternatives to destructive land occupations as a form of colonial redress and as an alternative development strategy?
4. What forms of opposition are emerging in the region? Do they represent a substantive alternative to existing regimes in the region? Moreover, what spaces are available for such opposition movements to confront incumbent parties through peaceful means?

Notes

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CHAPTER 9

CHALLENGES FOR DEMOCRACY AND HUMAN SECURITY IN MALAWI: MAPPING A POLICY RESEARCH AND CAPACITY-BUILDING AGENDA

Ayesha Kajee

Introduction

According to Alkire, the objective of human security is to create political, economic, social, cultural and environmental conditions in which people can live knowing that their vital rights and freedoms are secure.¹ This would mean, firstly, being shielded from the chronic threats of hunger, disease and oppression, and secondly, being safeguarded from sudden and potentially harmful interference in the normal course of life, such as that caused by civil wars and other conflicts.

Human security ought to be viewed not just from the perspective of providing protection from threats to basic rights and freedoms; but also from the angle of empowerment, with a view to the development of human potential and the involvement of all citizens in decision-making. As such, the nexus between true participatory democracy and human security is apparent.

While Malawi has thus far largely managed to avoid the type of inter- and intra-state conflicts that have plagued other parts of the African continent, the Malawian people have been far less fortunate when one considers their human security in the context of the ravages caused by hunger, disease and oppression. Malawi is ranked 165th out of 177 countries surveyed in the 2005 Human Development Index (HDI) produced by the United Nations' Development Programme, below countries recovering from civil war, such as Côte d'Ivoire and Angola.² According to the HDI, more than 56% of Malawians will not reach 40 years of age, and one-third of the population lives without access to an improved water source. Chronic malnutrition stunts 49% of Malawian children under the age of five, and of these, 40% are severely stunted.³ Forty thousand Malawian children aged five or younger die each year.

The continuing lack of food security in Malawi and the multiple effects of diseases such as malaria and HIV/Aids, combined with the dearth of sound political and economic management by government, has turned what ought

to be a fairly prosperous, stable country into one of SADC's poorest nations. Indeed, it is testament to the warm and forgiving nature of Malawians generally, that to date, the country has not suffered widespread riots or violent overthrows of government.

The major challenges for democracy and human security in Malawi include:

- Persistent drought and concomitant food insecurity;
- Poor fiscal discipline and rampant corruption on the part of government;
- Weak political governance (with insufficient separation of powers);
- Inadequate provision of basic services (such as water, housing health and education);
- HIV/Aids and other diseases; and
- The suppression of human rights.

Food insecurity

Food insecurity in Malawi is a persistent threat, with causative factors ranging from diminishing soil quality and recurrent drought through to the nation's high rate of HIV/Aids infections and its lack of foreign investment. According to the United Nations' Food and Agriculture Organisation's (FAO) 2005 report,⁴ 42% of Malawians live below the poverty line of US\$1 per day and up to 76% live on less than US\$2 per day. Malawi has required external food aid nearly every year in the past decade. During six of the past nine years there have been food production deficits in Malawi, with net food gaps of 56,849 megatons (MT) and 546,962 MT being reported in 2001 and 2002, respectively. It is estimated that 424,000 MT will be required between September 2005 and March 2006. Malawi's "over-reliance on tobacco and maize as cash and food crops, respectively, means that adverse commodity prices or erratic weather patterns cause repercussions that are felt throughout the whole economy."⁵

September 2005 saw an early onset of the lean season (usually December to April), with maize prices having increased by 70% in some regions. This year's maize crop (approximately 1.2 million metric tons of maize) was 36% lower than the recent five-year production average⁶ and the lowest yield since

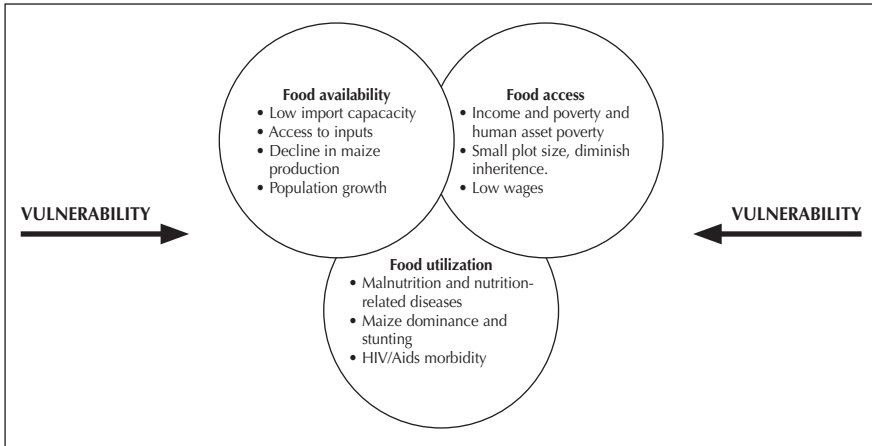
1994, due largely to prolonged dry spells and a shortage of seeds and fertiliser during the critical planting season. Since most Malawians are subsistence farmers dependent on rain-fed crops, the prevailing “extreme poverty levels combined with crop failure translate to disaster in terms of food security.”⁷ In September 2005, the WFP warned that at least five million Malawians would require food aid in order to combat starvation.⁸ Yet various analyses and a series of interviews suggest that, notwithstanding periodic droughts, with its “fertile land, good water supply and human resources, ... there is no reason that the region should have hunger and poverty on this scale.”⁹

Why then are Malawians starving yet again? The answer lies in a multiplicity of factors, including poor implementation of agricultural policy; ill-advised sales of maize reserves in recent years; large-scale deforestation with consequent lowering of the water table and decline in soil quality; and poor economic management that has caused spiralling inflation.

As Gerard van Dijk, head of the World Food Programme in Malawi, stated: “The food security situation today compared to 20 years ago has deteriorated because of a hybrid of various policies including the forced opening of markets. The population is rising and the soil quality gets poorer and poorer.”¹⁰ He noted the government’s poor record of managing food security and attributed this to the fact that the state has itself been involved in maize trading. Despite recurring droughts, in recent years the government has sold its strategic grain reserves amid allegations of corruption. This situation prompted the Malawi Economic Justice Network (MEJN) to note that at a time when 65.3% of the population couldn’t afford two square meals per day all year long, “the trading of maize lacked transparency and has cost taxpayers money... robbing Malawians of the right to be free from hunger.”¹¹

The diagram below characterises the unique food security problem in Malawi:

While Malawi has some excellent policies on agriculture and food security, their implementation is extremely limited. The official Poverty Reduction Strategy proposes small-scale irrigation methods such as treadle-pumps; provides for free seed and fertiliser distribution to increase the yields of subsistence farmers; and advocates public works programmes to provide employment for the landless and urban poor. But MEJN’s analysis of the 2003/04 budget reveals that allocations to small-scale irrigation and targeted inputs (seed and fertiliser) were actually reduced by 60.2% and 53.6%, respectively,¹² which reflects poorly on the government’s commitment to reducing food insecurity. Senior government officials confirmed that stopping



Source: Sahley et al, 2005

targeted inputs to farmers had had a disastrous impact on the food security situation. Various NGOs do provide agricultural inputs and operate irrigation schemes, but these have been criticised for their lack of sustainability and the limited reach of agricultural extension workers, because most projects are fixed-term projects. Also, the seed provided is often genetically modified, which provides high yields in the first year, but is unusable in subsequent years and allegedly contributes to the depletion of soil quality.

Malawi is a highly indebted country, with most of its budgetary support provided through external aid. Aid has been withheld in the recent past (2003/2004) because of widespread graft. This funding constraint has limited government's ability to implement policies and has contributed to spiralling inflation, which pushes food prices up and further exacerbates food insecurity.

In sum, the Malawi government has signally failed to secure the food security of its population, and has shown little impetus in contingency planning for drought and nutrition crises, leaving these to be dealt with by the international NGO community. Van Dijk warns that "this government might have the last chance to get it right before people revolt. Violence is not far away when people are desperate."¹³

Poor fiscal management and corruption in government

Malawi is a small landlocked country with a quarter of its area covered by Lake Malawi. It has an agro-based economy with a single export crop

(tobacco), and it has become increasingly dependent on development assistance since liberalisation of agriculture in the 1990s contributed to soaring inflation and the government's inability to service its debt. Subsequent domestic borrowing (with little control of excessive spending) has exacerbated the inflation spiral.

Malawi receives about \$400 million in aid annually, and about 80% of government expenditure is financed externally, leading to allegations of a loss of economic sovereignty and resentment because of donors' 'interference' in the country's governance.

In its latter years, the Muluzi administration (1994-2004) was guilty of gross mismanagement and a total disregard for sound budgeting principles, leading to a debt crisis and the loss of donor confidence. The current Mutharika administration has shown some commitment to fighting graft, but has been plagued by political infighting, a 'runaway' parliament and recent threats of presidential impeachment encouraged by disgruntled Muluzi supporters. The cash budgeting system has allowed massive over-expenditure, rampant corruption in tendering and procurement, and executive kleptocracy on a vast scale.

History demonstrates that prolonged mismanagement of a nation's economy almost inevitably leads to fiscal collapse, state failure and the type of conflict exemplified by Congo, Sierra Leone, Liberia and Somalia in the late twentieth century. Thus far, Malawi's saving grace has been, ironically, the lack of lootable natural resources that breed organised crime networks.

Malawi has a reasonably good legal framework and numerous well-written policies for improving its fiscal and socio-economic performance, but government's own Financial Accountability Action Plan admits that "significant expenditures routinely occur outside the formal budgetary process" and "there are few sanctions for non-compliance with existing rules and no strategy to induce compliance"¹⁴. The result, as various local analysts and public servants acknowledge, is that "pressure is exerted to overspend, and we say that the minister or the president sanctioned it".¹⁵ During 2004, media reports that the government was unable to account for MK 23 billion out of MK 60 billion during the 2002/2003 financial year prompted condemnation from donors. The donors stressed that they could not justify budgetary support (even for pro-poor sectors) from their countries, if there was no accountability for how the budget was spent.¹⁶ If the political will to control government over-expenditure is not forthcoming, Malawi risks state collapse, with its attendant conflicts.

Weak political governance

In theory, Malawi has a functioning multi-party system of liberal democracy, a relatively good constitution and a reasonable degree of separation of powers. In practice, there is little distinction between party and state resources, leading to abuse of state transport and other resources, such as the state media during election campaign periods. The electoral commission is partisan and lacks independence. The standard of election administration has steadily declined from 1994 to 2004, as election observers have noted.

A legal academic noted that whenever the constitution provides an obstacle, government amends it¹⁷; and indeed, government misused a study by the Law Commission aimed at strengthening weaknesses in the constitution, to instead exploit loopholes in it.

Oversight institutions such as parliament, the judiciary, the Anti-Corruption Bureau (ACB) and the Auditor-General, have, in the past, been rendered ineffective by the simple expedient of denying them funds. Reports of intimidation of judges, lack of debate in parliament, unchecked presidential power and greed on the part of elected representatives emerged from a series of interviews conducted by a SAIIA team during 2004.

The ACB had no telephones for two months in 2004 until it was rescued by the UK's Department for International Development, who paid its outstanding bill of two million kwacha. The ACB's cases can be blocked from prosecution by the Director of Public Prosecutions (DPP), who has, in the past, refused consent to prosecute almost 40 high-profile and large-value cases involving key members of government. Current Vice President Chilumpha, who might have ascended to the presidency had the recent impeachment bid against Mutharika been successful, has been implicated in several corruption cases. A notable case to which he is linked involves 187 million kwacha paid to contractors for schools that were never built or left uncompleted during his tenure as education minister.¹⁸

Though legally required to do so, members of both the executive and parliamentary arms of government have failed to publicly declare their assets, with many accused of enriching themselves at the taxpayer's expense. In addition, one MP noted that the heavily politicised civil service repeatedly flouts rules and procedures.¹⁹

The extremely poor levels of political oversight have created a climate in which nepotism, clientelism and patronage have been the hallmarks of

government over the past decade. But ordinary Malawians are beginning to express their dissatisfaction with the situation, as evidenced by civic protests during the recent parliamentary wrangling over the bid to impeach President Mutharika.

Inadequate provision and under-delivery of basic services

The low levels of service delivery in post-Banda Malawi underline the government's lack of efficiency, effectiveness and accountability in providing for the basic needs of its citizenry. They also highlight its failure to adequately provide for human security. The following brief statistics should suffice to illustrate the social service delivery crisis:

- Maternal mortality, a good proxy indicator of health service effectiveness, almost doubled between 1990 and 2000.²⁰
- With the introduction of full primary education (FPE) in 1994, enrolment rates increased exponentially and untrained people were employed as teachers, with a drastic drop in education quality. Functional literacy and numeracy skills are lacking, so FPE has not realised any value.²¹ Only 16% of students who sat the secondary school examination in 2001, passed.²²
- More than one in three people lives without access to an improved water source.²³
- Less than one in five households (19%) could access a healthcare facility in 2002 (within 30 minutes travel).²⁴
- In 2003, only 59% of health facilities had functioning communication equipment, 58% had functioning medical waste disposal, and 65% had functioning water supply.²⁵

HIV/Aids and other diseases

Polio and measles have been virtually eliminated due to widespread immunisation programmes. But deaths due to preventable causes such as malaria, tuberculosis and waterborne infections are still high. Human resources in the health service is being decimated by the 'brain drain' into Western countries, and the lack of resources allocated to health infrastructure.

HIV/Aids infection levels have stabilised as a result of education programmes, but at least 80,000 Malawians die of Aids-related causes each year and about 110,000 new infections occur annually. The result is the decimation of human capital, destruction of families and support systems, and an extra burden on an already strained healthcare system. Malawi loses more teachers than are trained annually, and more than 70% of hospital capacity is taken up by Aids patients.²⁶ The national Aids Commission estimated in 2004 that there were 950,000 Aids orphans and vulnerable children; that 170,000 Malawians needed antiretroviral treatment; and that 80,000 pregnant women required treatment to prevent mother-to-child infection.²⁷

Apart from the high attrition level of professionals in key social services, other human security threats resulting from the pandemic include:

- An increase in child-headed households;
- Increasing levels of child labour with corresponding declines in school attendance;
- Trafficking of women and children; and
- Care burdens that increase the already high unpaid-labour burden of many women.

Suppression of human rights

Despite the lip-service paid to constitutional and other legal instruments that ensure their social, economic and political rights, and an improvement over the repressive Banda era, Malawians, though ostensibly living in a democratic environment with regular elections, are not consulted, nor do they actively participate in government. The violent suppression of protests during the 2005 elections, when the inauguration was prematurely announced and the electoral commission failed to announce results as stipulated by law, reflects the government's significant lack of respect for human rights. Attempts to muzzle press freedom are not uncommon and the UDF actually drew up blacklists of journalists to be assaulted during the campaign period.²⁸ Youth militias have traditionally been used by both the Banda and Muluzi administrations to coerce individuals and communities; with the so-called Young Democrats accused of breaking into and occupying printing offices during 2001.²⁹

The suppression of women's rights and children's rights, despite these being enshrined in the constitution, is commonplace. Beyond cursory issues of access to education and capital, there is little attempt to mainstream gender concerns into short- and medium-term development frameworks such as the Malawi Poverty Reduction Strategy Paper and the vision 2020. Domestic violence is a human security threat routinely suffered in silence with the complicity of the judicial and security services in this highly patriarchal society, where cultural and traditional norms tacitly support practices that compromise women's rights to physical and emotional safety.

Mapping a policy research agenda

Overall, there is a need for policy researchers to communicate effectively with policy analysts so as to identify key concerns on either side, without compromising the scientific integrity of the research undertaken by think tanks and academics. There is also a need for social science researchers in the human security field to mine and utilise the primary field data collected across other research areas such as environmental science (biological and geological data when assessing food security issues for example); statistics (such as census data; and opinion surveys of the type collected by MEJN and the Afrobarometer); and psychometric studies that measure the effects of gender-based violence on productivity and individual and communal well-being.

Food insecurity

Referring back to the diagram characterising Malawi's food security challenges, research into the following is indicated:

- Identify the combination of bio-physical stresses (including drought and global environmental changes, degradation of land and water resources, and the potential long-term effects of GMOs on the biome) that affect food security in Malawi with a view to developing an early warning system and contingency measures to prevent the current high levels of malnutrition and famine.
- Re-evaluate the provision of inputs and irrigation schemes to assist subsistence farmers, taking cognisance of the long-term sustainability (or lack thereof) of such measures and provisos for reducing dependence on subsidised inputs; as well as research into recommended best practices

for diversifying crops (and the nutrition base), as a first step towards food security.

- Research into the viability of value-addition of primary agricultural produce (canning, drying, etc), aimed at small-scale job creation via small manufacturing industries, as well as extension of the shelf-life of foods for the lean season. Perhaps long-term prospects for export need also be considered. This research should also look at the prospects for small-scale aquaculture, utilising the fresh-water resource of Lake Malawi, perhaps along the lines of cooperative models developed in parts of Asia and Latin America, including women's cooperatives. Such research would also need to consider biological and geological data evaluating water quality and over-fishing in some regions.
- The viability and sustainability of public works programmes as an interim/medium-term measure for job creation, with emphasis on the transfer of skills that are of value for future financial independence.
- The effects of migrant labour on both the domestic and regional economy; its implications for long-term human security in the region.

Weak governance and corruption:

- Extension and deepening of the analyses done by the MEJN into the budget, (and associated organisations such as Civil Society Coalition for Quality Basic Education into education expenditure), and use of this primary data to predict effects on overall human security, so that intervention measures can be planned. These might include implementing systems and building capacity (perhaps via the APRM?) for better financial tracking within government.
- Strengthening civil society, including the media and academia, to investigate and expose graft and monitor (and perhaps support) oversight institutions that have been prevented from effective operation in the past.
- Research into the viability and potential effects of civic education programmes that extend participation in governance by informing the public about rights education and equipping citizens with techniques for lobbying and advocacy at local, provincial and national levels. (This needs to reference use of traditional systems of consultation and tribal chieftancies where appropriate)

HIV/Aids:

- Integrated Research Initiatives on the medium to long-term effects of HIV/Aids on human security in the country and within the region as a whole, with specific reference to:
 - Diminished individual and institutional capacities, not least within government and key service professions (with contingency planning arising from the research results);
 - The security of orphans and vulnerable children in terms of education deficits, child labour, trafficking, etc;
 - The security of women, especially the poor and those in rural areas who bear added care burdens and may experience discrimination in terms of property, education and market access rights when male family members are struck down by Aids;
 - Analysis of the projected effects on human security of offering and enhancing integrated preventative and treatment options to citizens; including Voluntary Counselling and Testing options, workplace programmes and various choices and combinations of treatment; (as well as the projected effects of non-intervention and/or uncoordinated piecemeal projects).

Overall, there is perhaps space for investigation into the nexus between reduced capacity, upsurges in terrorism and organised crime, and the vicious cycle that is created when limited resources are then directed back towards state security at the expense of human security concerns; thereby deepening the lack of human security. While such research might be attractive both from a theoretical and practitioner viewpoint and would certainly draw interest from potential funders, extreme care is indicated in the methodology of such a study. Great care must be taken if its results are to truly contribute to consolidating democracy and human security in the region via African modalities through channels that might contradict Western orthodoxies.

Notes

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