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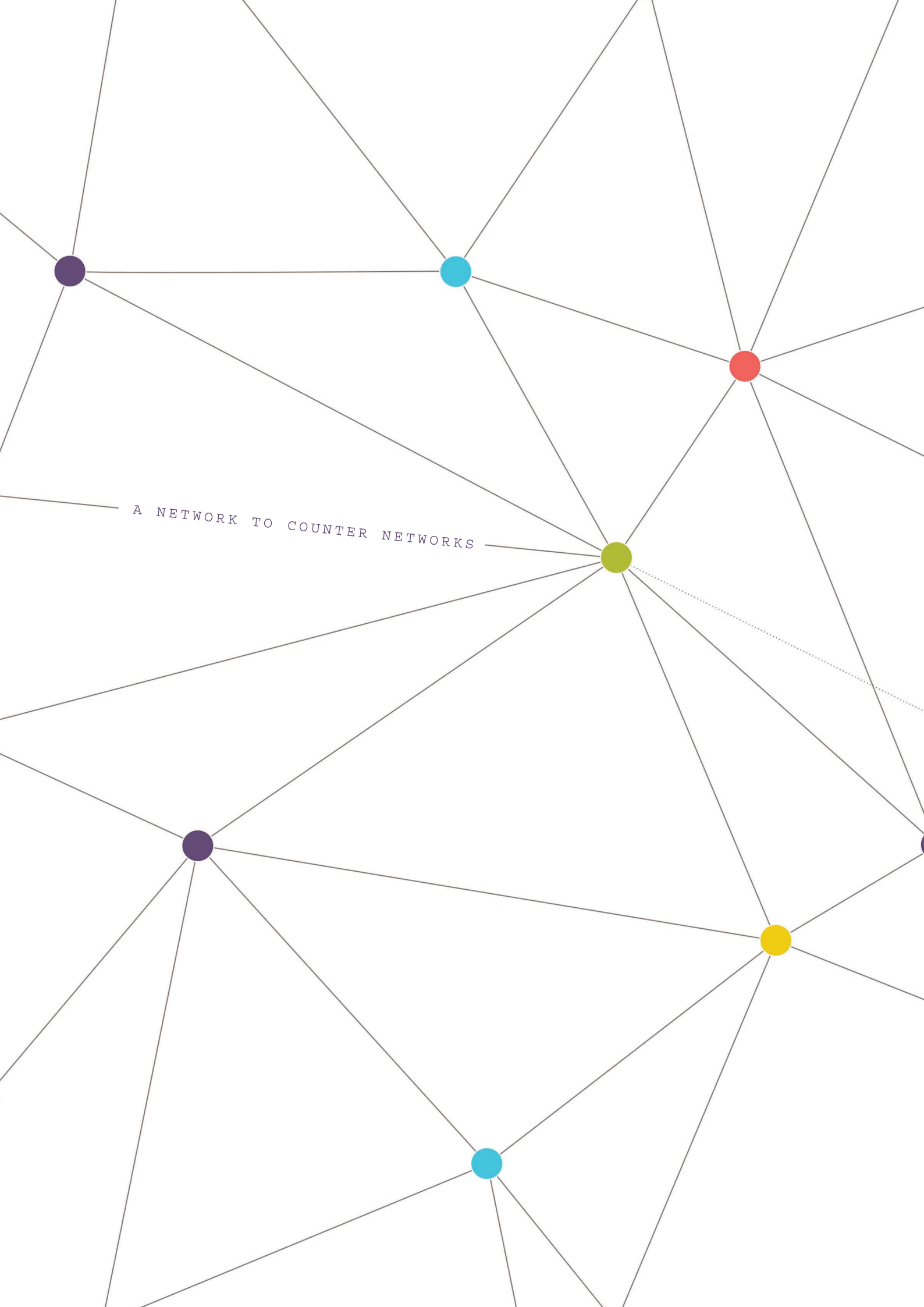
**POLITICAL
TRANSITION
IN ZIMBABWE**

A New Era for Organized Crime?

Mafaro Kasipo



August 2018



A NETWORK TO COUNTER NETWORKS



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Summary

This policy brief constitutes a first step towards developing more comprehensive assessments that will broaden our understanding of organized crime and illicit markets in Zimbabwe. It analyzes the development of illicit economies during the three periods of political transition that occurred in Zimbabwe since the country attained independence in 1980, and looks ahead to the current phase of transition under its new president, Emmerson Mnangagwa, whose young administration was cemented by victory for his party at the polls on 30 July 2018. The brief outlines the relationship between Zimbabwe's political transitions and its illicit economies, in particular the central role played by the state in controlling, shaping and benefiting from organized crime. Certain forms of state-sponsored illicit activity have been prevalent during specific phases in Zimbabwe's political trajectory, but are not exclusive to those transitions. In Zimbabwean politics, illicit economies have been a mainstay of the patronage system that ensured that the ruling party, ZANU–PF (Zimbabwe African National Union – Patriotic Front), remained in power for 37 years under Robert Mugabe. Arguably, therefore, there is a possibility that illicit economies will continue to pose a threat to the implementation of a legitimate constitutional democracy in the post-Mugabe era.

Introduction: Political transition and organized crime

The relationship between political transition and organized crime is complex and nuanced. However, lessons learnt from experiences around the world suggest, generally, that states undergoing political transitions are particularly vulnerable to increased levels of organized crime. This is because political transitions are characterized by changes in dynamics in the political economy, which can create new business opportunities and new channels for organized crime. Simultaneously, restructuring in key state institutions, such as law enforcement, creates an environment in which organized crime can infiltrate such institutions.

Two examples of developing states serve to illustrate this connection. During South Africa's political transition from apartheid to democracy in the 1990s, international organized-criminal groups became established while state structures, including the police, 'were being transformed and [...] therefore weakened'.¹ Similarly, the transition resulting from the collapse of the Soviet Union in the early 1990s led to organized-criminal groups becoming entrenched and occupying (or acquiring) governance roles previously undertaken by state actors.²

However, although the relationship between organized crime and political transition is widely accepted, a lack of information makes it difficult to determine the exact nature of this relationship and the levels of organized crime prevalent before, during and after periods of transition. In a context of political transition from authoritarian to democratic rule, the effect of state actions may be difficult to distinguish from general criminal activity.³ It is also challenging to assess the extent to which political transitions make hidden crimes visible or create new forms of crime.⁴ The latter is particularly the case in the Zimbabwean context, where the criminal-political economy has had the effect of blurring the boundary between illicit and licit activities, and where political-office holders are key actors in illicit economies.



The evolution of organized crime and political transition in Zimbabwe

Although 'organized crime' is a widely used term, it is a difficult concept to define, as it is arguably both a social reality and a social and political construct.⁵ And conceptual frameworks that have been formulated to discuss organized crime may well fail to illuminate the important nuances of organized-criminal activities as experienced in many African states. This is especially so because, in Africa, the distinctions between the state and non-state actors, legitimate and non-legitimate business, and the public and private sectors are often blurred. In the case of Zimbabwe, key state institutions, including law-enforcement agencies, have fallen under control of political elites. In extreme cases, organized crime becomes a state-controlled phenomenon, and the authorities become criminal organizations. Arguably, this is the case with Zimbabwe.

The types of illicit economies that have become evident in Zimbabwe over the three transitional phases discussed here are to a great extent linked to the country's social and economic challenges.

This policy brief argues that in Zimbabwe the state itself has been the main source of organized crime because the state and members of the ruling party have played a dominant role in most illicit profit-making activities in the country since independence. The question now is whether, looking ahead, the Mnangagwa administration will usher in a new order by turning its back on state-sponsored organized crime, or continue to maintain its hold on power through the forms of political clientelism that have kept ZANU–PF in power since 1980.

Zimbabwe has been described as having undergone 'one of the most protracted democratic transitions in Southern Africa'.⁶ Political transition is often conflated with related concepts of regime change, leadership succession and democratic transition.⁷ But although regime change and leadership succession both refer to 'the assumption of power by a new leader', they do not necessarily amount to a democratic transition.⁸ Even though regime transition tends to denote a shift from authoritarian rule to constitutional democracy, this outcome is not necessarily always the case.⁹ The eagerly awaited elections in Zimbabwe had been viewed by many Zimbabweans as the process that would finally bring them the constitutional democracy (and concomitant socio-economic stability) so long denied them under President Mugabe, and which existed only as a facade of constitutionalism. However, the election result, which saw Mnangagwa of the ruling party, ZANU–PF, declared president amid allegations of electoral misconduct, was viewed by opposition supporters as yet another stolen election.¹⁰

In the African context, democratic transition entails interlinked processes of liberalization and democratization, with liberalization consisting of the civil and political rights protected by the constitution, and democratization as the process in which 'rules regulating electoral competition and specifying governmental powers and responsibilities are crafted'.¹¹ Against this background, this brief acknowledges that despite the rhetoric of liberalization and democratization used by the ZANU–PF government to woo voters, the three phases of political transition that Zimbabwe has gone through since 1980 have brought about very little regime change. Is it possible that, under a new leader, ZANU–PF will now seek to make liberalization and democratization real and meaningful for Zimbabweans, but it is also possible that these recent elections will merely perpetuate the form of constitutionalism that Zimbabweans have experienced for almost four decades – one that exists only on paper.

The 2018 election

On 30 July 2018, Zimbabwe held a highly disputed presidential election after Mugabe was ousted from power by an unconventional military coup in November 2017. The election was a tight race between Mnangagwa of ZANU–PF and Nelson Chamisa, leader of the opposition coalition MDC (Movement for Democratic Change) Alliance (although, in Parliament, ZANU–PF polled a clear majority of seats). On 31 July, the MDC claimed that it had evidence from most of the polling stations to suggest that Chamisa had won the presidential election.¹² The delay



by the Zimbabwe Electoral Commission (ZEC) in announcing the election outcomes was viewed by the MDC as a ploy by ZANU–PF – which controls many state institutions, of which the ZEC is one – to rig and ‘steal’ the election.¹³ Protests by opposition supporters over allegations of election fraud were stopped by a violent military clampdown, which saw six people killed and 14 injured.¹⁴ On 3 August, the ZEC declared Mnangagwa the winner, with 50.8% of the presidential vote, with Chamisa being declared to have polled 44.3%.¹⁵

At the time of writing, the MDC Alliance had filed papers at Zimbabwe’s Constitutional Court to challenge the result of the presidential election.¹⁶ The decision of the Constitutional Court is final. As such, the stakes are high because the ZANU–PF executive has a widely known influence over the judiciary.¹⁷

In accepting his win, however, Mnangagwa said that Chamisa had a ‘crucial role to play’ in rebuilding the country.¹⁸ This statement may suggest that Mnangagwa is open to a government of national unity (GNU) with the opposition – a political structure to which the MDC is vehemently opposed because it views it as a way of legitimizing what it claims was a fraudulent election.¹⁹ The weekend following the elections was marked by raids on the homes of MDC leaders, supported by the army,²⁰ undermining Mnangagwa’s suggestion of a possible GNU. Furthermore, there is a widely shared sentiment among MDC senior leaders that the previous GNU, formed in 2009 after the contested 2008 elections, disproportionately benefited ZANU–PF, which, despite nominal power sharing, retained control over key government institutions, such as the security sector. Hence, they feel, another GNU would be repeating the same mistake.²¹

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The position of the international community on the election is still unclear, although the African Union (AU) and regional bodies the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA) have endorsed the election results.²² The European Union Election Observation Mission had, at the time of writing, not published its full report but indicated that the election revealed an ‘improved political climate, inclusive participation rights and a peaceful vote.’²³ However, it also noted an ‘un-level playing field, intimidation of voters and lack of trust in the process.’²⁴ Similarly, the Commonwealth Election Observation Group noted that the ZANU–PF government deployed traditional leaders to intimidate voters and had an unfair advantage, as they used state resources to bribe voters.²⁵ The US authorities have not stated their position, but the State Department issued a statement that it is reviewing data from its election observers.²⁶

The military factor in the Zimbabwean election process

All the political transitions in Zimbabwe discussed in this brief have been shaped by the military, in that the presidential elections have been characterized by military suppression of the opposition through the use of force and by influencing voters through intimidation. Control of the military has been a central factor in the ruling party’s ability to hold on to power.

The politicization of the security sector in Zimbabwe can be traced to the Rhodesian Security Forces, which were created to defend the interests of the ruling white-minority party.²⁷ That the Zimbabwe Defence Forces (ZDF) were also politicized was evident from the beginning of the country’s independence era. In 1980, the ZANU–PF government came to power after a landslide victory in the first democratic elections. A segment of liberation-struggle participants from the minority Ndebele ethnic group in the Matabeleland region, however, were disgruntled and attempted a rebellion. The new government reacted with an iron fist: between 1983



and 1987, the infamous Fifth Brigade, a section in the ZDF that reported directly to Mugabe, orchestrated a campaign known as Gukurahundi, in which an estimated 20 000 to 25 000 people from the Matabeleland region were massacred.²⁸

Furthermore, it has been argued that the Zimbabwean military in the 1980s came increasingly under political control in the face of both the external South African apartheid military threat to the Frontline States and the threat of internal insurgencies.²⁹

The growth of the opposition MDC party in the early 2000s cemented the relationship between the ZANU–PF government and the ZDF in a formal alliance to ‘prevent the MDC’s access to the levers of state power’.³⁰ The result was an erosion of distinctions between the ZANU–PF party, state institutions and government. Major military operations in Zimbabwe ‘have always coincided with national elections’.³¹ A national command centre was created at the Manyame Air Base to formulate and implement strategies that ensured Mugabe’s victory in the 2002 presidential elections.³² The main strategy was the use or threat of violence. Another tactic has been the appointment of senior military personnel at the Electoral Supervisory Commission. Operation Murambatsvina (meaning ‘throw out the trash’) was a joint operation by the military and police designed to crack down on pro-MDC urban voters.

Criminalization of the state and organized crime

It has been argued that, in Africa, the criminalization of states occurs because poor economic performance yields limited scope for ruling elites to reward loyalty and thereby sustain the patronage systems they need to maintain power.³³ Therefore, state officials have turned to criminality to fund such systems, using political office to facilitate illicit profit-making activities, partnering with illicit international networks and sanctioning the use of violence for economic self-gain. In the process, state institutions are abused to promote and enforce the interests of office holders.

This kind of political strategy has been described as ‘the instrumentalization of disorder’,³⁴ a strategy that was used to the material benefit of Africa’s colonizers and later mirrored by political practices in the post-colonial era.³⁵ Therefore, for some analysts, the criminalization of African states may occur in the modern era, but it is rooted in the history of African societies.³⁶ The blurring of the boundary between the public and private spheres enables political elites to create elaborate patronage systems from both licit and illicit economies.³⁷

This policy brief argues that criminalization of the state – with a particular focus on Zimbabwe – is a political strategy deployed by elites as a means of retaining power and accruing personal wealth. As a result, any effective response to organized crime in the context of a criminal state needs to address the interface between state, politics and the economy. The relationship between the state and organized crime³⁸ can be analyzed within the narrative that the growth of transnational organized crime undermines both state authority and state efforts to address organized crime because organized-crime actors are often better equipped and more adaptable to changes in the illicit global economy than are state actors.³⁹

Scholars have argued that new forms of transnational organized-crime networks consist of both traditional and non-traditional actors, with the state being an important actor. This phenomenon has been described as ‘the mafia state’,

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where senior state officials use public office to 'enrich themselves and their families and friends while exploiting the money, muscle, political influence, and global connections of criminal syndicates to cement and expand their own power'.⁴⁰

There have been numerous examples worldwide of senior politicians' involvement in organized-criminal groups. However, the mafia-state idea is arguably undermined by the fact that transnational organized crime is not new, as the history of state-making is rife with examples of organized-criminal groups colluding with the state. Indeed, the historical relationship between the state and illicit economies is arguably complex, ranging from 'condemnation and discouragement to toleration and complicity'.⁴¹

The notion of the mafia state does not go far enough because the focus is mostly on the role of non-state actors influencing the state, and it ignores the role of the state itself in instigating organized crime.⁴² States engage in organized crime for several reasons. First, they can become the source of organized crime in order to directly or indirectly generate revenue.⁴³ In the former, states can be the main actor in activities that generate illicit financial flows; in the latter, they facilitate illicit activities through legislation, for example by creating tax havens used for tax evasion and money laundering.⁴⁴ Secondly, states can turn to organized crime to procure goods and services – a prime example being the South African apartheid government engaging in smuggling arms and oil to circumvent the international sanctions. Thirdly, the executive can use the state as a vehicle to engage in organized crime to consolidate their political power.

If the state is the source of organized crime, the question then becomes, to what extent is the criminalization of the state an end in itself? This policy brief partially answers this question by arguing that the criminalization of the Zimbabwean state was a result of a combination of social, economic and political factors underlined by the ruling party's determination to hold on to power.

This brief examines the evolution of organized crime in Zimbabwe over three broad political transitions, or phases:

- 'The perfect storm' (1980–2008), characterized by economic meltdown and consolidation of illicit economies
- The unity government and the discovery of the Marange diamonds (2008–2013)
- Succession battles in ZANU–PF and their effect on organized crime (2013–2017)

The final, current, phase is the Mnangagwa administration, which came to power in a 'peaceful coup' in 2017 and won the July 2018 election amid allegations of rigging and the violent clampdown of opposition supporters. This new administration was seen an opportunity for the state to regain legitimacy among the electorate and distance itself from the illicit economies that have sustained it over the previous three phases. However, this administrative transition may replicate more of the same, given the vulnerabilities inherent in Zimbabwe's political economy. Either way, this next, fourth, transition will have a crucial impact on Zimbabwe's future trajectory in terms of organized crime.

To help assess the evolution of organized crime in Zimbabwe during the political transitions, five overlapping elements need to be considered:

- Security-sector patronage: The ruling party has relied on military support to retain power. This support is sustained by an elaborate patronage system, which has implicated the military elite in illicit mineral trade.
- Formal and illicit economies: In Zimbabwe there is a blurring of the boundary between formal and illicit economies, with political elites at the centre of all economic activity in the country, and who participate in these economies both directly, through state institutions, and indirectly by working in partnership with criminal entrepreneurs.
- Ordinary citizens: The overlap of illicit and licit economies, and the concentration of resources in the hands of a well-connected wealthy few, has resulted in illicit trade playing a growing role. The country's wealth is controlled by a few elites.



- State actors: High- and low-level civil servants actively participate in organized crime. Furthermore, the involvement of state institutions in illicit economies not only strengthens criminal economies but also erodes the distinction between formal and illicit economies.
- Criminal entrepreneurs: Networks of entrepreneurs engage in organized-criminal activities to gain financially from government policies that create shortages.

Over the three political transitions, various forms of organized crime have developed, shaped broadly by the decline of Zimbabwe's economy. The decline and subsequent criminalization of the Zimbabwean economy have evolved over time, but one can identify three main categories of organized-criminal activities, with overlaps between them. The first category is criminal activities by ordinary citizens; the second is criminal activity among low- to middle-level public servants; the third consists of organized-criminal activities by political elites in partnership with business. The effects of criminal activity in the third category are far-reaching and have a huge impact on the country's political, social and economic spheres.

In the first category, the dominance of the informal sector as a survival mechanism in Zimbabwe means that many citizens engage in low-level illicit activity to earn a living. For example, buying foreign currency on the black market to import basic commodities for resale is one of the most common forms of organized crime. High levels of unemployment have resulted in young men turning to the illicit, small-scale gold-mining sector for employment. In the second category, public servants have been implicated in the organized illegal wildlife trade, which has flourished due to deep-rooted corruption involving illicit networks consisting of national game rangers, state institutions, law enforcement and the judiciary.⁴⁵ In the third category, political elites, through partnership with entrepreneurs, engage in large-scale illicit trade in mining, illegal wildlife trade, black-market foreign-currency trade, land expropriation and profiting from resource shortages created by the economic crisis.

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The perfect storm: Economic meltdown and consolidation of illicit economies, 1980–2008

Zimbabwe attained independence in 1980 in the context of the African theatre of the Cold War, when many of the African liberation movements that gained political power professed a commitment to Soviet-style socialism and a one-party state.⁴⁶ Zimbabwe was no different, dominated by a ruling party whose leadership exploited the sacrifices made during the country's liberation struggle as 'the ultimate justification for their own political and economic entitlement'.⁴⁷

Ever since independence, political power has been consolidated in ZANU–PF, characterized by an authoritarian style of rule involving violent clamping down on opposition parties, oppression, election rigging and the use of state institutions as vehicles for personal accumulation. According to investigative journalist Peta Thornycroft, ZANU–PF has, over time, taken control of every aspect of life – 'the central bank, the judiciary, nearly all infrastructure, nearly all media, the vast civil service and the enormous, chaotic and largely bankrupt parastatals'.⁴⁸

Although Zimbabwe could be described as a fragile state due to this authoritarian governance, lack of democracy and weak economy, it differs from certain other fragile states that are marked by a lack of a functional central government. Zimbabwe, by contrast, has relatively strong institutional structures, albeit with challenges around



resourcing. The ZANU–PF government runs a highly centralized administration, which, until November 2017, was based around the cult of personality surrounding Mugabe. This combination has resulted in a contradictory system of governance with a formal adherence to principles of rule of law, when, in reality, it is a system of governance based on clientelism and patronage.

By the mid-1990s, cracks were beginning to show in the Zimbabwean economy, particularly following the adoption of the Economic Structural Adjustment Programme (ESAP) reforms (accused, at the time, of being a neoliberal instrument). The Zimbabwean government agreed to the ESAP reforms in the 1990s to meet the provisions of international development finance institutions. Implementing the reforms resulted in the economy contracting, which led to high levels of unemployment. Many redundant workers turned to the informal economy and illicit markets.

High levels of unemployment around this time resulted in an increase in organized-crime activity. In one manifestation of this, illegal small-scale gold mining became endemic. With 3 million people dependent on the small-scale gold-mining sector for their livelihood – approximately 18% of the population – the industry has become a major pillar of the informal economy.⁴⁹

However, the gold sector is regulated by legislative instruments that fail to protect the interests of artisanal miners. Under the Mines and Minerals Act, artisanal miners are not recognized, and the Gold Trade Act criminalizes these miners, as it stipulates that it is an offence to mine gold without a licence.⁵⁰

While overregulation disincentivizes artisanal miners from formalizing their operations,⁵¹ politicians have exploited artisanal-mining operations for political purposes. Here, political rhetoric exists on a continuum: at one end, artisanal miners are labelled as criminals, and at the other end as legitimate contributors to the economy.⁵² For example, before the 2002 elections, miners were encouraged to mine in the old mining shafts of the Globe and Phoenix Mine, a former big mining operation.⁵³ Yet, when the government decides, for political pragmatism, that the miners are criminals, heavy-handed policing tactics have been used. In 2006, the police launched a national crackdown of illegal mining resulting in the arrest of 16 290 miners.⁵⁴

Despite the government's contradictory and shifting positions on small-scale miners, the main beneficiaries of illegal gold mining are senior politicians. There is strong evidence that reveals that most of the gold buyers on the illicit market are frontmen for political elites and politically connected businesses.⁵⁵

The *kukiya-kiya* economy

The effects of the ESAP, together with a succession of failed government policies, created a full-blown economic crisis. A land-reform programme implemented from the beginning of 2000 destroyed the agricultural sector, hitherto the country's top foreign-currency earner. This had knock-on effects on other industries linked to the sector. Following government-sanctioned land grabs, an estimated 300 000 farm workers were left unemployed and sought to earn a living in the informal sector.⁵⁶

The programme was implemented against a backdrop of growing political tension in the country. By 2000, growing unrest with the Mugabe regime, especially among urban voters, led to the creation of the opposition party MDC. The government responded by initiating a fast-track programme that, it claimed, sought to redistribute land owned by white commercial farmers to black Zimbabweans – hence, it was dubbed by government as the Third Chimurenga (the name of Zimbabwe's liberation struggle). When Zimbabwe gained independence in the 1980s, the 4 400 white commercial farmers owned a third of the agricultural land in the country.⁵⁷ Between 1980 and 2000, a series of programmes were established by the government attempting to redress this imbalance. These programmes had limited success, however, due to lack of funding.



Instead of providing the redistributive effect that government had claimed it would achieve, the land-reform programme was in reality a vehicle for taking commercial farm land without compensation largely to the benefit of a few well-connected political elites in a process characterized by violence and disorder. Furthermore, the land-reform programme has been argued to have been a tool to punish white commercial farmers who were viewed to be supporters of the MDC.⁵⁸

In the process, the reforms undermined wildlife conservation. In particular, the programme had a negative impact on the wildlife conservancies that played a key role in protecting rhinos through anti-poaching efforts.⁵⁹ Rhino poaching in Zimbabwe has been linked to organized-criminal groups with operations across the border in South Africa.⁶⁰ Zimbabwe's Central Intelligence Organisation has been implicated in poaching and smuggling rhino horn by supplying firearms to poaching syndicates, giving protection to poachers and buying rhino horn from poachers.⁶¹

The failure of the land-reform programme had repercussions for other industries linked to the agriculture sector. The country's manufacturing sector also experienced economic collapse during the 1990s and investors fled. Zimbabwe was left facing chronic debt. The implementation of an indigenization policy in 2008 that requires foreign-owned businesses operating in the country to give a 51% ownership stake to local Zimbabweans had the effect of deterring foreign direct investment in the country. These policies resulted in extremely high levels of inflation that eroded the value of the Zimbabwean dollar.⁶² The result was that the state was left with limited financing options and turned to the illicit economies. For example, during this period state institutions emerged as the key buyers of illegally mined gold. Fidelity Printers and Refiners, a subsidiary of the Reserve Bank of Zimbabwe (RBZ), is the mandated sole buyer of gold mined in Zimbabwe 'irrespective of its origins'.⁶³ In other words, the RBZ buys gold that has been mined by what the government has called 'illegal' miners.⁶⁴

Against this background of a collapsed formal economy and rapidly spiralling inflation, the term *kukiya-kiya* was coined – a slang Shona expression to describe unorthodox ways of eking out a living in a tough environment, or the irregular exploitation of whatever resources are at hand.⁶⁵ Zimbabwe's informal economy is the second largest in the world,⁶⁶ and the *kukiya-kiya* ethos came to pervade the entire social fabric in Zimbabwe, from the highest levels of government to ordinary citizens. Although the informal economy has provided important sources of livelihood for many ordinary Zimbabweans, it has often been exploited by politicians for personal gain and to secure political support, as the example of the informal gold-mining sector shows.

Although the informal economy has provided important sources of livelihood for many ordinary Zimbabweans, it has often been exploited by politicians for personal gain and to secure political support.

This shadow, cash-based economy created an environment that enabled various forms of criminal activity to flourish. As Goredema puts it, the effect of the country's economic collapse was that 'educated and entrepreneurial Zimbabweans [...] found many "traditional" sources of income unavailable to them' in a hostile environment.⁶⁷ Goredema argues that organized-criminal activity in Zimbabwe is dominated by autonomous entrepreneurs who are also integrated into the formal economy.⁶⁸ Such criminal entrepreneurs often work in partnership with actors operating in both illegal and legal sectors, mostly on an ad hoc basis, to exploit opportunities to make profit. And these have been ample, as shortages created by government policies provided a lucrative gap, enabling a range of illicit activities.

There are cases aplenty of entrepreneurs who engage in both formal and criminal economy working in cooperation with ZANU–PF political elites to benefit illicitly from the economic crisis and commodity shortages, but one good example of such corruption can be seen in the country's fuel shortages in the early 2000s and the National Oil Company of Zimbabwe (NOCZIM) scandal. Fuel shortages proved to be highly lucrative for business entrepreneurs with political connections. Corrupt management in NOCZIM, which had a monopoly over fuel imports, meant that



the company became unable to meet demand, leading to fuel shortages. To address the deficit, NOCZIM issued licences to 246 individuals, authorizing them to import fuel. Most of the licensees were high-ranking politicians who, in partnership with senior government officials, sold fuel on the black market.⁶⁹ The involvement of powerful politicians meant police investigations into these activities were little more than a formality.⁷⁰

As Goredema notes, addressing organized-criminal activity in Zimbabwe is hampered by two factors: first, central government dominates the legislative process and, secondly, there is no separation of powers – hence implementation and enforcement of laws are not independent, they are politically influenced.⁷¹ The result is that government's ability to deal with organized crime is weakened, especially in cases where organized crime directly involves, or aligns itself with, central-government officials.⁷²

Forex trading: The rise of the 'cash barons'

Between 2000 and 2008, shortages in food and other basic commodities meant that most Zimbabweans had to either import essential goods or buy them on the black market using foreign currency, or 'forex'.⁷³ Failed government policies in the 1990s and early 2000s led to hyperinflation, rendering the Zimbabwean dollar worthless, which further fuelled the demand for foreign currency. Trading in foreign currency became a lucrative activity, and one that attracted participants from both the illicit and licit economies.

The then governor of the RBZ, Gideon Gono, blamed the economic crisis on 'cash barons' who, he claimed, hoarded large amounts of cash to buy foreign currency on the black market, which contributed to the inflationary environment.⁷⁴ In 2002, the government implemented various measures to control the forex black market, including closing foreign-currency business accounts and de-registering bureaux de change.⁷⁵ Despite these measures, however, the forex black market continued to flourish and evidence pointed to the fact that senior politicians, the state security agency (the Central Intelligence Organisation) and other government institutions were, in fact, the real 'cash barons'.⁷⁶ Certain senior politicians took exception to Gono's statements castigating the cash barons because, as research subsequently revealed, the RBZ itself was a major dealer in the forex black market.⁷⁷ Munyaradzi Kereke, embattled former policy advisor at the RBZ, later confirmed that the RBZ had been the main player on the forex black market at that time.⁷⁸

In 2007, the head of the Financial Intelligence Inspectorate Division at the RBZ, Mirirai Chiremba, was suspended amid allegations of invoicing fraud.⁷⁹ Chiremba oversaw buying foreign currency on the black market. He would inflate the rate of exchange on invoices and pocket the difference.⁸⁰ The foreign currency was laundered through a Stanbic Bank account in Johannesburg and used to make payments for imports.⁸¹

The protracted economic crisis during the first decade of the 2000s had weakened the ZANU–PF government and it lost support in the urban areas, resulting in its failure to achieve an outright majority in the 2008 elections. This forced the country into its next phase of political transition, with Mugabe's party being compelled to form a coalition government with Morgan Tsvangirai's MDC.

The unity government and the discovery of the Marange diamonds, 2008–2013

ZANU–PF's dominance in the political sphere had remained unchallenged until the late 1990s, at which point the deepening economic crisis and flagging support among the electorate paved the way for a new party to contest the autocratic political regime for the first time since 1980. The MDC, which almost won elections in 2002, was created



with the support of civil-society organizations. After the disputed elections in 2008, a GNU was created in February 2009, a coalition between Mugabe's ZANU–PF, Tsvangirai's MDC–T and the MDC–M, led by Arthur Mutambara. The GNU re-engaged with international financial institutions and adopted the US dollar as the official currency. These interventions brought a measure of stability to the economy.

Although it is difficult to assess confidently the impact of the GNU on organized crime, it is clear that it failed to push through the necessary reforms to achieve a constitutional democracy in Zimbabwe. If anything, during this period, ZANU–PF tightened its grip on Zimbabwean politics by reinforcing control over the security sectors. Since independence, ZANU–PF has maintained its hold on power through the support of the military. The military has systematically deployed violence, or the threat of violence, around the time of elections to ensure ZANU–PF's victory. Another tactic has been the appointment of senior military personnel to the ZEC, a nominally independent organization supposedly tasked with planning and overseeing free and fair elections.

Key to gaining and maintaining this politically expedient military support is an elaborate patronage system that confers upon the military elite access to resources and opportunities to accumulate, loot and steal. But this all requires financing. The economic crisis in the early 2000s, however, had been pervasive and the government was left without revenue to be able to pay the salaries of civil servants, including military personnel. No longer having sufficient funds in its coffers to be able to pay out the military and rely on its support left ZANU–PF unstable and threatened. Enter the Marange diamonds.

Although it is difficult to assess confidently the impact of the GNU on organized crime, it is clear that it failed to push through the necessary reforms to achieve a constitutional democracy in Zimbabwe.

The discovery in 2006 of diamonds by villagers in Chiadzwa, a town south-east of Harare, in the district of Mutare, was a game-changer for ZANU–PF. With the new-found revenue from diamonds, the party was once again able to fund its patronage system. By 2007, an estimated 35 000 people were mining in the Marange diamond fields.⁸² The government's initial response was to encourage interested members of the public to pursue mining, which led to thousands of miners descending on Marange. After the 2008 elections, however, the Zimbabwean military implemented Operation Hakudzokwi Kumunda, which means 'you will never return from the diamond fields', in a crackdown on 'illegal' miners. The military deployment was a political strategy designed to divert the diamond revenue into the hands of military cadres and ZANU–PF elites. The operation was marked by gross brutality and human-rights abuses, which saw thousands of miners killed. By the end of 2008, the military had taken control of the diamond fields. The revenue from the diamonds has allegedly been used as an 'off the books' source of financing to fund the security ministries, undermining democratic governance and rule of law.⁸³

The main beneficiaries of the seized diamond wealth were senior military officers and party officials. The military, through its investment arm, the Zimbabwe Defence Industries, owned 40% of Anjin, one of the biggest mining companies in Chiadzwa. Anjin siphoned the proceeds of diamond trading out of the country, depriving the treasury of millions of dollars of potential revenue. Similarly, the state-owned Marange Resources, which operated in the diamond fields, was accused of high-level corruption, with allegations that management was involved in a range of illicit activities, including money laundering, inflating the cost of capital equipment to pocket the difference and the payment of large loans to executives.⁸⁴

During the GNU administration, Parliament was unable to hold the military accountable for its role in the illicit diamond trade. The Parliamentary Portfolio Committee on Mines and Energy, which oversees mining activities in Zimbabwe, revealed that it had encountered orchestrated political and military resistance during its investigation into the Marange diamonds affair.⁸⁵ The committee had been denied access to visit the mining fields for over two years.⁸⁶ Then the mysterious death of the committee's chairman, Edward Chindori-Chininga, in a car crash⁸⁷ shortly



after the Marange report was made available to Parliament, pointed to powerful figures within the state who did not want the illicit activities at the diamond fields exposed.⁸⁸

During this political transition, the phenomenon of land barons also emerged. In many ways, land barons are a legacy of the land-reform programme. Essentially they are businesspeople benefiting from ZANU–PF’s patronage networks who managed to acquire huge tracts of land near urban areas, which they would sell illegally for residential use at exorbitant prices without acquiring the necessary permission from authorities.⁸⁹ This has led to an increase in illegal settlements, as most of this land has not been approved for residential settlement and lacks infrastructure such as sewerage and water systems.⁹⁰

The control of the diamond fields by the ZANU–PF loyalist military undermined the GNU and revealed that, despite its rhetoric of unity, ZANU–PF’s priority was to maintain its hold on power by securing support from the military. The GNU was dissolved after ZANU–PF won contested elections in 2013 marked by voter intimidation and violence.⁹¹ After the 2013 elections, Zimbabwe went into another political transition phase, which set the stage for the removal of Mugabe.

Succession battles in ZANU–PF and their effect on organized crime, 2013–2017

After ZANU–PF ‘won’ the 2013 elections, Zimbabwean politics transitioned into a third era, this phase marked by factional battles centred on presidential succession. With Mugabe then approaching 90, and having been in power for 33 years, attention within the party, in the country and beyond turned to who would take over from him.

In 2014, three political factions emerged. The first was led by former vice president and reformist Joice Mujuru (whose husband, a former military general, had died in a mysterious fire ‘accident’ in 2011). The second faction, named Lacoste, was linked to the then minister of defence, Mnangagwa. This grouping had support from the military. The third faction, Generation 40 (G40), was linked to the former first lady, Grace Mugabe, and the ZANU–PF Youth League. Although factional battles were not new in ZANU–PF, the stakes were higher now because it was clear that Mugabe was living on borrowed time. Therefore, in many ways, the factional battles during this period laid the foundation for the eventual overthrow of Mugabe in November 2017.

Following the dissolution of the GNU in 2013, the economic gains that had been achieved with the unity government were quickly reversed.⁹² By 2016, cash shortages were crippling the economy once again and the government introduced a new form of currency, so-called bond notes, which nominally have equivalent value to the US dollar but can be tendered only in Zimbabwe. They were introduced to address the shortage of cash in circulation. The bond notes were ostensibly supported by a US\$200 million loan from the African Export–Import Bank. However, the bond notes proved unpopular with the public. A combination of low confidence in the financial system and fear of a recurrence of hyperinflation, which had resulted in people losing their savings and pensions, led to renewed demand for foreign currency.⁹³ Although the government has tried to prevent inflation by printing a limited amount of bond notes, cash shortages in the formal banking system have driven the growth of the foreign-currency black market.

The cash shortages persist, with Zimbabweans reporting that there is simply not enough money in circulation in the system’s financial arteries to sustain the economy.⁹⁴ Private individuals queue to try to withdraw their savings from the banks, sometimes unsuccessfully. Businesses are also hard-pressed to collect payments for invoiced goods and services. This chronic currency shortage means that many turn to the black market to acquire dollars from cash brokers, and this kind of trading has become the norm.⁹⁵



There is also ample evidence in the public domain linking Zimbabwe's commercial banks to the illicit foreign-currency trade by flooding bond notes onto the black market to buy US dollars.⁹⁶ Social-media technology has made illicit trading easier. For example, WhatsApp groups have emerged facilitating direct communication between buyers and sellers of foreign currencies.⁹⁷ Individuals behind these groups are apparently connected to commercial banks, and have access to bond notes.⁹⁸ In September 2017, the governor of the RBZ, John Mangudya, accused commercial banks of abusing their power in such cash deals and acting in an undisciplined way.⁹⁹ However, former finance minister Tendai Biti accused the RBZ of being the key player on the black market in a way that is eerily reminiscent of the RBZ's earlier forex scandal the previous decade. On 28 September 2017, Biti said that there is 'only one bank that has gone rogue and it is the Central Bank itself. It is printing and selling bond notes to acquire much needed foreign currency to finance various obligations, including Eskom.'¹⁰⁰

Government departments are also known to participate in the forex black market. In one such case, Nancy Masiyiwa-Chamisa, chief executive officer of the Zimbabwe National Roads Administration (Zinara), admitted in court in January 2018 that she had overseen the buying of US\$2 940 588 on the black market to service Zinara's debt for a US\$206 million loan it had received from the Development Bank of Southern Africa.¹⁰¹ This money was sourced using shell companies.

Given the secretive nature of illicit economies, it is difficult to know the exact role of political transition in shaping them. Indeed, an argument can be made that the absolute power enjoyed by ZANU–PF political elites over the decades has created an environment in Zimbabwe where political actors can engage in organized crime because they can get away with it. This is clearly exemplified by the activities of Grace Mugabe, who has been implicated in an international ivory poaching and smuggling syndicate. An undercover investigation by Adrian Steirn in 2017 revealed that ivory was either being taken from the national parks' vaults, being pilfered, or being taken from elephants killed by poaching syndicates. Said Steirn, 'The syndicate would then sell to Grace Mugabe's clientele.'¹⁰² Grace Mugabe abused her authority by pressuring Zimparks (the body with the mandate to control, protect and conserve wildlife in Zimbabwe) to issue her with permits to send shipments of ivory outside the country, which would then be sold on the black market.¹⁰³

The removal of Robert Mugabe in November 2017 from the presidency finally enabled the highly publicized investigations into Grace Mugabe's role in the illicit ivory trade to take place. This investigative campaign has been highlighted as an important milestone in looking into the involvement of powerful political elites in organized poaching and smuggling of wildlife in Zimbabwe – although there is a compelling argument that the motive for such investigations may well be to settle political scores rather than bring the culprits to justice.¹⁰⁴

There are also actors involved in Zimbabwean organized cigarette-smuggling syndicates.¹⁰⁵ A former smuggler claims that one of these cigarette-smuggling cartels involves politicians in the highest echelons of government in both Zimbabwe and South Africa, but would not divulge names. This cartel is said to operate a smuggling scheme that runs from Harare to Durban. Trucks are used to smuggle the cigarettes from their loading points in Harare through formal border points and onwards to their destination. The trucks are not stopped or searched on the Zimbabwean side of the border.

The cigarette brands that are most frequently smuggled are Remington Gold and Pacific Blue, both owned by Savanna Tobacco.¹⁰⁶ Savanna Tobacco is owned by Adam Molai, who is married to the niece of former president Mugabe and appears to have had political protection during Mugabe's regime.¹⁰⁷

But changes in political power often have implications for the nature of organized-crime structures. Since the political transition in Zimbabwe, Molai's position may have been weakened, with his protection now apparently

An argument can be made that the absolute power enjoyed by ZANU–PF political elites over the decades has created an environment in Zimbabwe where political actors can engage in organized crime because they can get away with it.



gone. Interviews with law enforcement in Zimbabwe confirmed that Savanna Tobacco has now been ordered to pay the tax it has failed to pay the state over the years.¹⁰⁸ According to a former smuggler in South Africa, Molai 'has lost political protection, and is also under financial pressure'.

The Mnangagwa administration and the future of illicit markets, 2017 to present

The resignation of Mugabe following the military takeover saw the former vice president, Emmerson Mnangagwa, easing himself, with the help of an obliging military, into the presidential seat.

Mnangagwa, once associated with some of the regime's worst atrocities, has promised change and to introduce a more democratic style of governance in Zimbabwe. Improvements in the welfare system and policing have been implemented since he came to office.¹⁰⁹ And he has placed addressing the economic crisis facing the country as his top priority.¹¹⁰ His foreign policy has been aimed at seeking re-engagement with the international community to help revive the economy, and deals have been made with Russia and China – and Western powers (which would have been anathema to his fiercely anti-Western predecessor). For Mnangagwa, Zimbabwe is open for business, but it will take a long time to rebuild the economy after so many decades of decline.

The illicit economies played a key role in shoring up the Mugabe regime, as they provided the resources to sustain his patronage networks. In the post-Mugabe era, where re-engagement with the international community is a prerequisite for economic growth, the role of illicit economies will need to be addressed.

Mnangagwa has spoken widely about the need to curb corruption in order to grow the economy and attract foreign direct investment. He has proposed establishing 'anti-corruption courts' and, meanwhile, a number of individuals allegedly implicated in corruption have been arrested. His election campaign was partly built on what he said was the need to end organized crime and fight corruption.¹¹¹ To address the controversial issue of land barons, Mnangagwa created a Commission of Inquiry of Urban Land to investigate and hold those responsible accountable.¹¹² However, this message of anti-corruption is belied by an alleged 'farm grab' in February 2018 by Mary Chiwenga, wife of influential vice president Constantino Chiwenga, the former military general who played a pivotal role in the removal of Mugabe.¹¹³

Mnangagwa's election campaign was partly built on what he said was the need to end organized crime and fight corruption.

It is also unclear whether Mnangwa's anti-corruption initiatives will address the role of the military – an important ally to the president – in the Marange diamonds episode and other abuses, such as campaigns of election violence against opposition supporters. Furthermore, Mnangagwa, a former close political ally of Mugabe, has been accused of being an architect of the brutal repression that largely defined the post-independence era. The contested election in which Mnangagwa was declared the winner amid voter intimidation, brutal suppression of the opposition by the military and allegations of rigging may reveal that the optimism about Mnangagwa's commitment to democratic governance and to introducing constitutional government is premature.

The president also faces the factionalism that has torn the party apart in recent years. A device that exploded during a political rally in June killed two of Mnangagwa's aides, and the incident was almost certainly intended to target the president. The military coup in which Mugabe was deposed was most likely an attempt to put an end to the political ambitions of Mnangagwa's then main political rival, Grace Mugabe, who headed the G40 faction of ZANU-PF.



In the light of these events, the new regime may face severe challenges in addressing the economy. It is unlikely that Zimbabwe's economy will recover without democracy and electoral stability first being put in place. Economic growth without democracy and the rule of law is a rare thing: markets and investors need the reassurance of stability. Mnangagwa had said he was committed to an election process that allowed a free and fair vote, and many hoped, this time, that that would be the case. However, with concerns about military interference in the electoral process, which has marred previous elections in the country, and the violence that ensued, hopes for the emerging embryonic democracy that Zimbabwe needs may have been dashed.¹¹⁴

Conclusion and recommendations

The political transitions in Zimbabwe outlined in this policy brief reveal a close relationship between organized crime, state institutions and the country's political regime, which for nearly 30 years was a de facto one-party state. There is extensive evidence that senior politicians, and military and state-security officials are profiting from a range of illicit activities with impunity. Deep wells of clientelism and patronage have defined Zimbabwe's forms of organized crime since 1980, leading the country to economic collapse, and creating an environment where state organized crime has been allowed to flourish.

The new president, Mnangagwa, has placed economic development as a priority for his government. However, for economic growth and development to succeed, political will is needed to hold accountable the main beneficiaries of illicit trade, as are democracy and respect for human rights. Furthermore, the involvement of state institutions, such as the RBZ, in illicit markets not only strengthens criminal economies but also erodes the distinction between licit and illicit economies. Despite having embraced a rhetoric of anti-corruption, it is not clear how the Mnangagwa administration will address the role of the security forces, which have long been a key ally in illicit economies. The opposition accused Mnangagwa of deploying the military to intimidate voters ahead of the elections to gain electoral advantage.¹¹⁵ And he has long been closely associated with the military high command.

Mnangagwa is now faced with the difficult task of securing the investment from international partners that the country desperately needs to begin economic transformation, waiting in the wings to see if the country has taken its first steps towards democracy. Then, his next task would be to push back against the network of well-connected political oligarchs who are allegedly siphoning off the country's resources through organized-crime markets.¹¹⁶

From a policy perspective, however, the assumption that destroying illicit markets will weaken organized crime and facilitate development is simplistic and fails to consider the root causes and drivers of these markets. In the Zimbabwean context, political instability and economic meltdown have resulted in the distinction between illicit and licit activities becoming unclear. The government needs to urgently review and rectify its various policies that have created the economic crisis facing the country. Measures to regulate and prevent the informal markets from being exploited by illicit actors are needed. Similarly, policy responses that seek to address weaknesses in Zimbabwe's criminal-justice system will ultimately fail if state institutions continue to be politicized as functionaries of ZANU–PF, because the main actors and beneficiaries are likely to remain protected.

After 37 years of rule by one man and having experienced only one centre of power, Zimbabwe needs a new kind of thinking, and policies based on democracy and constitutionalism. If they are to be effective in curbing organized crime in Zimbabwe, policy responses need to be nuanced and multifaceted. These responses should be tailor-made to stop

Deep wells of clientelism and patronage have defined Zimbabwe's forms of organized crime since 1980, leading the country to economic collapse, and creating an environment where state organized crime has been allowed to flourish.



the key drivers and causes of illicit markets. It will be a long-term process, and flexibility to adapt to the challenging environment and economic situation in the country is needed.

In such a context, the policy response both from the international community and civil society is fraught with difficulty. The following should be considered:

- **A comprehensive investigation into the main criminal economies in the country**

There is a need for a national integrated strategy to combat organized crime that is informed by a comprehensive investigation. Input from various stakeholders, including government, the private sector and civil society in creating a national integrated strategy is important. To ensure the solutions are relevant, an understanding of the workings, nature and scale of Zimbabwe's illicit economies is essential. The criminal networks, the protection economies and senior politicians that form part of these illicit economies need to be identified and exposed.

Civil society has a key role to play, as it has done in the past, in exposing illegal activity and shining a light on the illegal economy. There are again ominous signs that the space for civil society is closing and that 'independent investigations' of this sort will be blocked. Nevertheless, understanding the evolving dynamics of the illicit economy in Zimbabwe is crucial.

- **Bolstering political will to fight organized crime**

It remains unclear just how far the new administration will willingly fight the main tenants of organized crime. This is unlikely, however, in a context in which sanctions and international engagement is limited, simply because illegal sources of funds will be required to sustain local patronage networks. At the same time, external (and particularly Western) engagement must be conditional on providing a space for civil society to operate freely.

It should be noted that if government itself is to fight organized crime effectively, such efforts must go beyond state security agencies and encompass the home affairs, environmental affairs and foreign affairs ministries too. As most of the illicit markets exist beyond the borders, and the commodities transit through third countries, information sharing, coordination and partnerships between law enforcement at the local, national and international levels are needed.

All of this will depend on real political will. No law-enforcement activity is likely without a political go-ahead, including from the military, which, given its deep involvement in illicit activities, seems unlikely, or at least only partially likely.

- **Calibrated support for law enforcement**

The Global Initiative's work elsewhere shows only too clearly that strengthening law enforcement through capacity-building activities is only successful in a context where real political will is present to support and protect investigations. Transitional contexts may also mean that investigations are focused only on those seen to be dispensable or regarded as enemies of the new order itself, leaving many in the illicit economy untouched. Nevertheless, there is an argument now, depending on overall Western involvement with the country, to consider some form of engagement here. This is a difficult call to make in a contested environment – donors conscious of human-rights abuses will be loath to support agencies seen to be their perpetrators – but at the same time, there may be elements within the state with which they may be willing to engage, even if only in a limited way.

In particular, corruption lies at the heart of enabling organized crime and undermines the effectiveness of law enforcement. Therefore, policy interventions that aim to root out corruption should be prioritized. Experience from other countries in transition suggests that any strengthening of state capacity should be combined



with the strengthening of expertise in civil society too, including among investigative journalists, lawyers and research professionals. Work outside of the state, but also, selectively, within its institutions, is essential to building long-term capacity to tackle organized crime, particularly among young professionals.

- **A comprehensive policy response**

It is undisputed that the economic crisis in Zimbabwe has led to the blurring of illicit and licit trade. Meaningful policy responses to organized crime cannot be sustained without economic development. Government urgently needs to review and rectify its various policies that have led to the economic breakdown. The challenges facing the Zimbabwean nation, such as high levels of unemployment and cash shortages, cannot be adequately addressed through a law-enforcement paradigm. The new president has spoken of taking steps to improve the environment for conducting business. This might provide the levers to reduce the incentives for engagement in the criminal economy. But, even then, the ride will be bumpy: civil society must play a key role in analyzing and monitoring developments.

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Notes

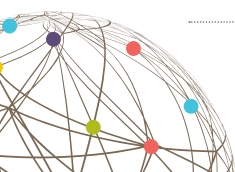
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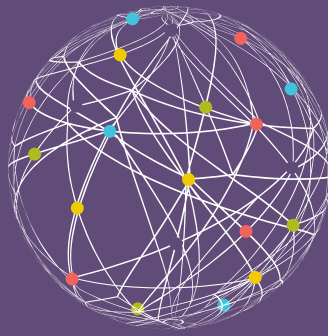


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