

Understanding Police Discretion in Zimbabwe: Institutional Drivers and Consequences for Community Relations in Harare Metropolitan Province

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ABSTRACT

Police discretion is central to community policing, influencing how law enforcement officers interpret and apply the law in everyday interactions. In Harare Metropolitan Province, police discretion is particularly visible in informal market areas and at urban roadblocks, where enforcement practices often appear inconsistent. Although statutory frameworks guide police authority, a gap remains between legal expectations and the practical application of discretion, contributing to community mistrust and weakened police legitimacy. This research examines: (1) the nature of discretionary policing in Harare, (2) the institutional and socio-political factors influencing discretionary decision-making, and (3) the effects of discretionary practices on police–community relations. Understanding these dynamics is important for strengthening democratic policing and promoting public trust. A qualitative research design was adopted, utilizing secondary data from academic literature, legal documents, policy reports, and recent empirical studies relevant to policing in Zimbabwe. Findings show that police discretion is shaped by resource limitations, weak oversight mechanisms, and socio-political influences. In areas such as Mbare Musika, Machipisa, and major commuter routes within Harare Metropolitan Province, police discretionary decisions frequently lack consistency and transparency, leading to perceptions of selective law enforcement and diminished community cooperation. Discretionary policing practices have significant implications for public trust and the effectiveness of community policing. Strengthening accountability systems, improving law enforcement officers' training, and enhancing collaborative police–community engagement are recommended to restore legitimacy and support safer community environments.

Keywords: *Police Discretion, Community Policing, Public Trust, Harare Metropolitan Province, Procedural Justice*

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INTRODUCTION

Police discretion refers to the decision-making latitude available to law enforcement officers in determining how to interpret and apply the law in specific situations. Discretion enables law enforcement officers to adapt policing actions to contextual realities that formal regulations cannot fully address. However, discretion also carries the risk of inconsistent application of the law, selective law enforcement, and potential abuse of authority if not supported by strong accountability and professional standards (Almeida, 2020). The use of police discretion, therefore, plays a defining role in shaping police-community relations, influencing public trust, legitimacy, and citizen cooperation.

In the context of community policing, police discretion becomes particularly significant. Community policing emphasizes collaborative problem-solving, partnership-building, and proactive engagement between the police and the public (Hevi et al., 2022). The quality of these interactions depends largely on how law enforcement officers exercise discretion in everyday encounters. Where police discretion is perceived as fair, respectful, and

oriented toward serving the citizens, community policing efforts are strengthened. Conversely, when discretion is seen as punitive, selective, or corrupt, community relations become strained and trust deteriorates (Chenane et al., 2023).

Harare Metropolitan Province provides an important context for examining these dynamics. As Zimbabwe's administrative and economic center, Harare Metropolitan is characterized by dense informal economic activities and a high frequency of police-public interactions. Discretionary policing is especially visible in two everyday community policing settings: the regulation of informal traders (vendors) in market areas such as Mbare Musika, Machipisa, and the Central Business District, and the operation of roadblocks along major commuter routes, including Samora Machel Avenue, Seke Road, and Julius Nyerere Way. These interactions often determine how residents experience law enforcement, shaping perceptions of fairness, legitimacy, and cooperation.

However, the effective exercise of police discretion in Harare Metropolitan Province is challenged by political pressures, resource limitations, and weak oversight, which contribute to the perception that discretionary policing is sometimes arbitrary, punitive, or influenced by personal or institutional interests (Takabvirwa, 2023) & (Mlambo, 2021). Understanding how police discretion operates within these everyday settings is therefore essential for strengthening community policing and rebuilding public trust.

Studies in policing have long treated police discretion as a core mechanism through which police power is exercised and constrained. However, a growing critique argues that the term "discretion" itself can obscure the political and legal frameworks that enable and legitimize policing practices, sometimes reproducing inequities rather than mitigating them. Turner and Rowe argue for moving beyond the conventional vocabulary of discretion toward a new conceptual framework that foregrounds power, legitimacy, and inequality in policing processes (Turner & Rowe, 2024). This perspective invites researchers to examine not only the decisions in the field but also the structural conditions organization, governance, accountability, and socio-political context that shape those decisions.

A central concern in global policing research is how discretionary practices affect public legitimacy and compliance. Public willingness to obey and cooperate with police is significantly shaped by perceptions of legitimacy, which in turn are influenced by how discretionary actions are justified, applied, and monitored across diverse contexts (Chenane et al., 2023). This legitimacy lens is complemented by insights into how organizational fairness, job satisfaction, and discretion interrelate within police institutions, suggesting that discretion is embedded in both organizational culture and governance structures, as well as in individual judgment (Oh & Lah, 2024). The interaction between discretion, legitimacy, and accountability has also been explored in the context of digital policing and surveillance; while technological capabilities (e.g., facial recognition) can extend police reach, discretion remains bounded and shaped by the affordances and constraints of the operational environment (Fussey et al., 2020). Together, these strands underscore that discretion is not merely a private judgment but a socio-technical and political process with implications for community trust and human rights.

The global literature highlights that discretion is exercised within and constrained by evolving technologies, governance arrangements, and normative expectations about rights and

accountability. (Fussey et al., 2020) suggest that assisted digital policing demonstrates how technology redefines the conditions under which officers exercise discretion, yet discretionary autonomy persists because technology operates within human judgments and institutional rules. (Turner & Rowe, 2024) emphasize that changing conceptual vocabularies are needed to capture the political economy of policing power and to avoid naturalizing discriminatory outcomes. In global and cross-national perspectives, legitimacy and perceived fairness emerge as pivotal determinants of public cooperation with police, particularly during extraordinary crises (e.g., public health emergencies) where legitimacy signals may be scrutinized more intensely (Chenane et al., 2023). (Oh & Lah, 2024) suggest that perceptions of organizational fairness and the presence (or absence) of formal governance structures can moderate the relationship between discretion and job satisfaction and perceived legitimacy among police personnel themselves.

In Africa, discretion, corruption, and community relations intersect with resource constraints, governance challenges, and evolving accountability mechanisms. Corruption and bribery within police institutions have been documented as persistent obstacles to equitable law enforcement; however, reforms and disruptive events can catalyze progress when coupled with effective leadership and structural changes. In South Africa, for example, research Peiffer et al. (2019) indicated a surprising reduction in police bribery following targeted interventions, underscoring that disruptive change can reconfigure discretionary practices more rapidly than anticipated when there is political will and leadership commitment. Similarly, the equitable distribution of police resources remains contested, with court decisions highlighting how resource allocation can produce discriminatory outcomes that affect marginalized communities and undermine trust in policing (Mzakwe, 2020).

The broader regional literature also records ongoing concerns about brutality and the fragility of community policing efforts, revealing a gap between policy intentions and lived experiences of communities in the post-apartheid era (Yesufu, 2021) & (Yesufu, 2022). Community policing strategies such as community forums, sector policing, and street-level engagement are identified as promising avenues for improving legitimacy and cooperation. Still, they are often challenged by resource constraints and institutional inaction (Mangai et al., 2023) & (Rakubu et al., 2023). The regional discourse is further enriched by studies on policing in the context of cross-border commerce and security, which highlight how corruption and discretionary practices can impede regional integration and trust in law enforcement across transport corridors (Tšehlo, 2024). Collectively, these regional strands demonstrate that discretion in Africa is deeply intertwined with legitimacy, resources, and community perceptions, providing a critical framework for examining Zimbabwe's local policing dynamics.

In Zimbabwe, the regulation of police discretionary powers is influenced by several statutory provisions. Notable examples include the Zimbabwe Republic Police Act (Chapter 11:10), which establishes the framework for police conduct and oversight, thus safeguarding citizens' rights while delineating police powers. Additionally, the Criminal Procedure and Evidence Act (Chapter 9:07) regulates how police can exercise their powers in investigations, particularly concerning unlawful arrests and seizures, ensuring adherence to legal standards. Furthermore, the Constitution of Zimbabwe Amendment Number 20 Act of 2013 outlines the

principles governing police conduct, emphasizing the protection of human rights during law enforcement operations. It requires that police actions respect these rights, thereby guiding the exercise of discretion in a manner consistent with human rights obligations (Zimbabwe, 2013). Together, these statutes aim to promote accountability and legal compliance within police operations, addressing the inherent challenges of discretionary power in law enforcement contexts.

Despite these frameworks, incidents of police misconduct, such as unlawful arrests and excessive use of force, have been documented, revealing a discord between statutory regulations and on-ground realities (Mhazo & Maponga, 2022) and (Mugari & Obioha, 2018). (Mhazo & Maponga, 2022) highlighted that during the COVID-19 pandemic, police actions that violated citizens' rights led to judicial scrutiny, with courts reinforcing the need for respect for human rights amidst law enforcement. According to (Takabvirwa, 2023), police roadblocks have emerged as focal points of abuse of power, wherein officers engage in arbitrary enforcement, further complicating the legal landscape. The challenges faced by vulnerable groups, such as street vendors, underscore the necessity for statutory reforms to address these abuses and align police practice with constitutional mandates (Mlambo, 2021). Thus, while the legal framework exists to regulate police powers, significant gaps remain regarding actual enforcement and accountability.

One of the primary challenges to the effective implementation of police discretion in Zimbabwe is the prevailing socio-political climate characterized by governmental oversight and the historical militarization of the police service (Mugari & Obioha, 2018). The Zimbabwean police service, often perceived by citizens as an extension of the ruling party, is frequently expected to align its discretionary practices with political directives rather than community needs. This tension complicates the use of discretionary powers by police officers, leading to actions that may not serve the best interests of the communities they are there to protect. Consequently, this environment fosters a culture of mistrust between citizens and law enforcement, thereby undermining procedural justice and community cooperation (Almeida, 2020).

Studies by (Mugari & Chakanyuka, 2024) and (Mutongwizo, 2022) highlight that, in Zimbabwe, police discretion faces significant challenges due to limited resources and a lack of technological capabilities. The Zimbabwe Republic Police often relies on traditional policing methods, such as physical surveillance, which hinders their ability to apply more effective, technology-driven strategies. Additionally, (Mlambo, 2021) and (Mugari & Obioha, 2018) suggest that bureaucratic complexities and socio-political factors severely affect their capacity to maintain public order and safety. The discretionary powers used in managing informal traders and vulnerable populations frequently lead to accusations of police abuse of power, contributing to public criticism of police misconduct. These issues have diminished community trust in law enforcement (Mlambo, 2021).

The issue of police discretion in Zimbabwe is multifaceted. Rooted in a post-colonial legacy, the Zimbabwean police service has faced myriad challenges, including accusations of corruption, human rights abuses, and a lack of accountability and transparency (Mugari & Obioha, 2018). This troubled backdrop presents challenges for officers who must carefully navigate the use of discretion, ensuring that their decisions uphold justice while also attending

to community sentiments and political pressures. A nuanced understanding of these challenges is critical when assessing how discretion shapes policing in Zimbabwe.

Furthermore, the implications of police discretion in Zimbabwe are particularly salient given the nation's socio-political context and the historical challenges in maintaining transparency and accountability within state institutions (Mugari, 2020). Zimbabwe is situated within this regional pattern, where discretion, corruption, and community relations influence police legitimacy and public cooperation. (Chenane et al., 2023) & (Mangai et al., 2023) suggests that discretionary policing can destabilize or enhance social trust depending on how decisions align with community needs and rights protections, and how governance and accountability mechanisms function in practice (Peiffer et al., 2019) & (Yesufu, 2022). (Mzakwe, 2020) highlighted that, within South Africa, scholarly and judicial observations on police resource distribution and corruption have demonstrated that discretionary power can produce unequal outcomes and erode public confidence when fairness and accountability are weak.

On the other hand, (Peiffer et al., 2019) posit that transformative leadership and structural reforms can disrupt entrenched patterns of abuse of police discretionary powers. Studies of community policing in Johannesburg reveal that meaningful engagement with communities improves legitimacy and cooperation but must contend with material constraints and governance challenges (Mangai et al., 2023). Moreover, evidence from related regional contexts shows that crises (e.g., pandemics with associated policing requirements) test legitimacy and compliance, underscoring the fragility of public trust when discretionary practices appear arbitrary or inequitable (Chenane et al., 2023) & (Rakubu et al., 2023).

The background integrates global debates about how discretion operates, is constrained, and affects legitimacy; regional African patterns of corruption, resource constraints, and community policing challenges; and the local Zimbabwean context, where a qualitative case study can illuminate how these dynamics play out in practice, yielding insights with implications for policy, policing practice, and community relations. This combination justifies this study in a robust, multi-scalar evidence base and clarifies why a Zimbabwe-focused, qualitative examination of police discretion, its nature, drivers, and community-relational consequences is both timely and necessary.

Despite the existence of constitutional and statutory frameworks regulating police conduct, the ethical and consistent exercise of police discretion in Harare Metropolitan Province remains a significant challenge. Community policing initiatives in Harare aim to foster partnership-building, dialogue, and collaborative crime prevention efforts. However, police discretionary practices observed in daily police interactions with the public often undermine these objectives. In informal market areas such as Mbare Musika, Machipisa, and the Harare Central Business District, police officers routinely determine whether to issue warnings, fines, disperse vendors, or arrest them. These decisions frequently appear inconsistent and are sometimes perceived as punitive, selective, or influenced by personal benefit (Mlambo, 2021). As a result, public perceptions of fairness and legitimacy are weakened.

Similarly, police discretion in the operation of roadblocks along Samora Machel Avenue, Seke Road, Chiremba Road, and Julius Nyerere Way has become a focal point of

public concern. Studies and media reports have documented instances where roadblocks function not only as safety law enforcement sites but also as spaces of informal payment negotiation and revenue extraction, reflecting weak oversight and accountability (Takabvirwa, 2023). These patterns have contributed to persistent community complaints regarding corruption, harassment, and abuse of authority.

Despite these challenges, research remains limited on how police discretionary decisions are shaped by the organizational culture, governance systems, and socio-political conditions within Zimbabwe's policing environment. Consequently, there is insufficient empirical understanding of how police discretion influences community relations, procedural fairness, and the legitimacy of the police.

The central problem in this study, therefore, is to understand how police discretion is shaped by socio-political influences, resource constraints, and institutional culture within community policing environments in Harare Metropolitan Province and how these police discretionary practices affect public trust, procedural fairness, and community police relations. Addressing this research problem is vital for informing policy reforms, strengthening accountability frameworks, and enhancing the democratic legitimacy of policing in Zimbabwe.

The objectives of this research are to evaluate the nature of police discretionary practices in Harare Metropolitan Province, identify the key factors influencing police decision-making, and analyze the consequences of such discretionary practices on community relations within the same region. This research offers significant practical benefits for multiple stakeholders. For police administrators and policymakers, the findings provide evidence-based insights for developing standardized discretion guidelines, improving officer training programs, and strengthening accountability mechanisms. For community organizations and civil society groups, the study offers a framework for advocating police reforms and enhancing community policing initiatives. The research also contributes to academic knowledge by providing a comprehensive analysis of police discretion within Zimbabwe's unique socio-political context, filling a critical gap in African policing literature. Ultimately, this study aims to support the development of more transparent, accountable, and effective policing practices that can rebuild public trust and enhance police-community relations in Zimbabwe.

METHOD

This study employed a qualitative research design to examine the nature, determinants, and consequences of police discretion in Zimbabwe within its socio-political, legal, and institutional context. The methodological framework was structured to evaluate how police discretion functions, the factors influencing officers' decision-making, and the implications of discretionary practices for community relations. Relying entirely on secondary data, the research used a systematic literature review and thematic analysis of academic journals, policy documents, and legislative materials published between 2019 and 2025. Primary legal sources included the Constitution of Zimbabwe Amendment No. 20 Act of 2013, the Zimbabwe Republic Police Act (Chapter 11:10), and the Criminal Procedure and Evidence Act (Chapter 9:07), while secondary sources drew from scholarly and policy analyses by Mugari and

Chakanyuka (2024), Oh and Lah (2024), and other regional and international policing studies. These materials provided comprehensive insights into the operational, ethical, and community dimensions of police discretion in Zimbabwe.

Thematic content analysis guided the data interpretation process using three theoretical lenses Procedural Justice Theory, Social Capital Theory, and Resource-Based View (RBV). This approach enabled an in-depth understanding of how fairness, legitimacy, and institutional capacity shape discretionary behavior within the Zimbabwe Republic Police (ZRP). Data collection followed a structured process involving the identification, selection, and coding of relevant literature, while analytical triangulation enhanced reliability and validity through cross-comparison of legal, policy, and scholarly sources. Credibility was further ensured by methodological transparency, peer-reviewed references, and contextual analysis linking findings to broader African policing frameworks. Ethical standards were upheld by maintaining academic integrity, accurate citation, and responsible use of secondary data. This methodological approach ensures that the study’s findings are credible, transferable, and grounded in empirical and theoretical rigor.

The conceptual framework diagram (below) visualizes the interaction among the theoretical constructs, variables, and objectives.

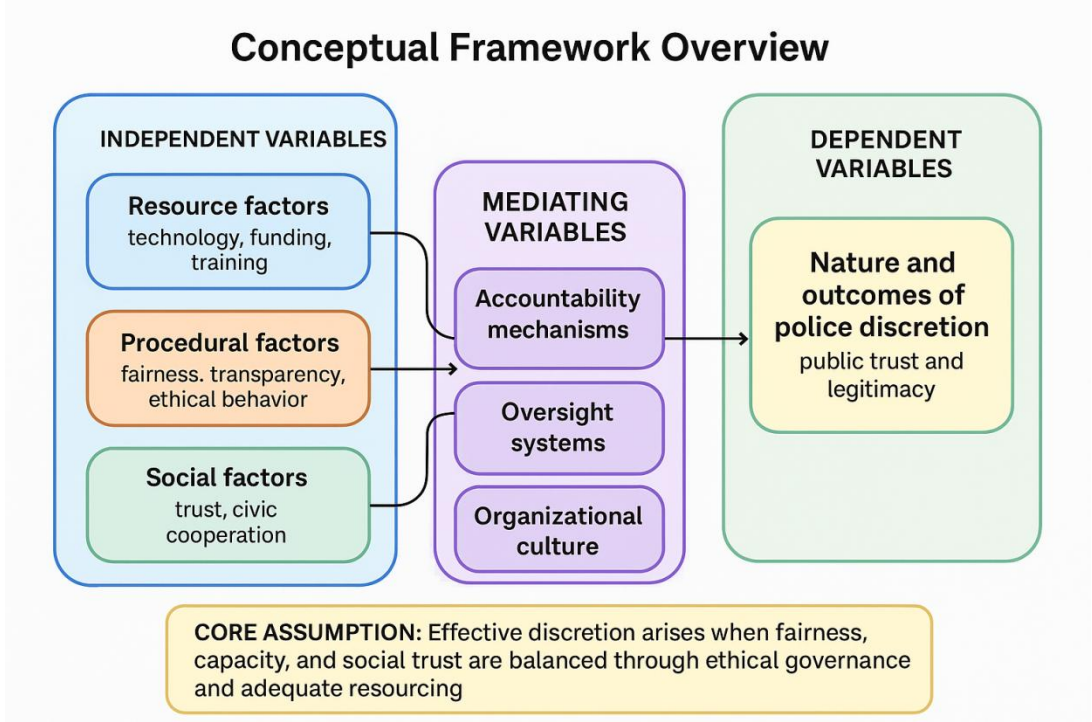


Figure 1. Conceptual framework diagrams

Source: (Researcher, 2025)

RESULTS AND DISCUSSION

This section presents the findings derived from the systematic review and thematic content analysis of secondary data, structured around the three key research objectives: the nature of police discretion, the factors influencing discretionary decisions, and the consequences of these practices on community relations in Zimbabwe. The analysis is guided

by the lenses of Procedural Justice Theory, Social Capital Theory, and the Resource-Based View (RBV).

Nature of Police Discretion

The analysis reveals that police discretion in Zimbabwe is a dual phenomenon: essential for operational efficacy yet frequently exploited for political or personal gain, leading to a disconnect between statutory intent and on-ground practice (Obioha & Mugari, 2022).

Discretion as Operational Necessity

In line with global literature, discretion is recognized as necessary for police officers to adapt laws to diverse and complex street-level realities (Almeida, 2020). For instance, in managing informal traders, officers must choose between full enforcement (arrests/seizures) and selective enforcement (warnings/fines), a choice dictated more by situational context than explicit policy (Mlambo, 2021).

The findings from the thematic analysis reveal that police discretion in Zimbabwe is largely shaped by a combination of statutory guidance and socio-political influences. Although legal frameworks such as the *Constitution of Zimbabwe Amendment Number 20 Act of 2013*, the *Zimbabwe Republic Police Act (Chapter 11:10)*, and the *Criminal Procedure and Evidence Act (Chapter 9:07)* provide the legal basis for discretionary decision-making, implementation remains inconsistent. Evidence from (Mhazo & Maponga, 2022) and (Takabvirwa, 2023) shows that discretion is often exercised in contexts marked by political pressure and limited oversight, leading to actions such as arbitrary arrests and unlawful detentions.

Discretion as Political and Systemic Abuse

A significant finding is the politicization of discretion. The literature consistently highlights that discretionary practices often align with political directives rather than community needs, resulting in actions such as unlawful arrests and the arbitrary use of excessive force, which contradict with constitutional human rights mandates (Mugari & Obioha, 2018) and (Mhazo & Maponga, 2022). The study found that the militarized nature of the Zimbabwe Republic Police (ZRP), as highlighted by (Mugari & Obioha, 2018) and (Mugari, 2020) influences how discretion is exercised. This outcome aligns with the critique put forth by (Turner & Rowe, 2024), who argue that the concept of "discretion" can obscure the underlying political and legal architectures that enable inequities in policing. The historical militarization of the police worsen this problem, fostering a culture where discretion is perceived as an extension of state power rather than a tool for procedural justice (Mugari & Obioha, 2018).

Despite these challenges, there are indications of gradual institutional reform efforts. (Mugari & Chakanyuka, 2024) note that intelligence-led policing initiatives have started to improve operational responsiveness, showing how structured decision-making frameworks can constrain arbitrary discretion and promote legitimacy. However, such reforms remain fragmented and are yet to fundamentally transform discretionary culture within the Zimbabwe Republic Police (ZRP).

The findings reveal that the nature of police discretion in Harare Metropolitan Province just like the whole country at large is highly situational, unevenly applied, and strongly shaped by the interaction between legal authority and everyday social realities. Although statutory

frameworks such as the Constitution of Zimbabwe Amendment (No. 20) Act of (2013) and the Zimbabwe Republic Police Act (Chapter 11:10) authorize police to make case-by-case decisions, the study finds that the practical use of police discretion differs significantly from its legal intent. Police discretion is used not only as a professional judgment tool, but also as a mechanism influenced by environmental pressures, institutional norms, and informal expectations.

Discretion as routine decision-making in public spaces

In informal public spaces such as Mbare Musika, Machipisa, Copacabana and the Central Business District (CBD), police officers exercise discretion continually when regulating street vending and informal economic activities. Instead of fully enforcing municipal by-laws which would require constant arrests and confiscations; law enforcement officers commonly decide who to remove, who to warn, and who to leave undisturbed (Mlambo, 2021). This means police discretionary decisions become highly personalized, depending on the law enforcement officer's perceptions of cooperation, the vendor's vulnerability, or prior interactions. As a result, communities experience policing not as a standardized rule-based system, but as a negotiation-based relationship mediated by discretion.

Discretion at roadblocks and traffic stops

The exercise of police discretion is also prominent at urban roadblocks located on Samora Machel Avenue, Chiremba Road, Julius Nyerere Way, and Seke Road. Law enforcement officers decide whether to issue tickets, give verbal warnings, request compliance documents, or allow drivers to proceed without sanction. The findings show that in many cases, no written record is produced, meaning enforcement outcomes are based largely on the law enforcement officer's personal judgment rather than procedural guidelines (Takabvirwa, 2023). This lack of documentation contributes to inconsistency, enabling discretion to shift from professional judgment to negotiation, sometimes involving informal payments (corruption).

Discretion shaped by law enforcement officers' interpretation of "maintaining order"

The study finds that many police discretionary decisions are justified by law enforcement officers under the broad mandate of "maintaining public order." In practice, this mandate allows for wide interpretive flexibility, where the same behaviour may be viewed as harmless by one law enforcement officer and disorderly by another. For example, an informal trader selling vegetables on the pavement in Mbare Musika or Machipisa may be allowed to continue operating by one law enforcement officer but forcibly removed by another on the same day. This variation reflects how police discretion is not primarily guided by legal standards, but rather by the individual law enforcement officer's interpretation of acceptable conduct, shaped by personal judgment, perceived situational pressure, and institutional working culture (Mlambo, 2021) & (Mugari & Obioha, 2018).

Research further shows that the use of "public order" justification has historically been linked to paramilitary policing traditions in Zimbabwe, which prioritize control-based enforcement over community negotiation, thereby giving law enforcement officers wide

latitude to determine what constitutes disorderly behaviour (Mhazo & Maponga, 2022) & (Takabvirwa, 2023).

Discretion influenced by embedded informal social norms

The findings further indicate that discretion in Harare Metropolitan Province is influenced by local social understandings and informal expectations. Vendors, commuters, and minibus drivers have developed strategies of “relationship-based compliance”, where familiarity with officers or prior interactions can result in more lenient treatment. This aligns with Social Capital Theory, which explains how trust networks operate as informal regulatory systems. However, these same networks also create opportunities for unequal treatment, as those without social capital (e.g., new vendors, women, and migrants) often report more punitive outcomes (Mlambo, 2021).

These findings show that the nature of police discretion in Harare Metropolitan Province is best understood as a fluid and context-dependent process, influenced as much by social relations and practical constraints as by legal authority. This means discretion shifts between lawful professional judgment and informal negotiation, making community experiences of policing inconsistent and often unpredictable.

Factors Influencing Police Discretion

The findings indicate that the exercise of police discretion in Harare Metropolitan Province is shaped by a combination of resource limitations, institutional norms, and socio-political conditions. Police officers often operate in environments where formal guidelines exist but are difficult to consistently apply due to shortages in manpower, equipment, monitoring technologies, and operational support. These resource-based constraints align with the Resource-Based View (RBV) theory, which explains how limited institutional capacity leads law enforcement officers to rely more heavily on personal judgment rather than standardized procedures. Additionally, organizational culture and internal command structures influence how officers interpret and apply enforcement powers, while broader socio-political dynamics, including expectations linked to public order maintenance and political authority, further shape discretionary decision-making. The findings therefore show that police discretion is not exercised in isolation but emerges from the interaction between available resources, institutional work practices, and the wider socio-political environment in which policing occurs.

Resource and Capacity Constraints

The study finds that limited institutional resources significantly shape how police officers make discretionary decisions. The Zimbabwe Republic Police frequently operates with insufficient staffing, inadequate patrol vehicles, limited surveillance technologies, and outdated communication systems. The reliance on traditional, resource-intensive policing methods, rather than evidence-based and technology-driven strategies, forces law enforcement officers to make reactive and often inconsistent decisions (Mugari & Chakanyuka, 2024).

The findings from (Oh & Lah, 2024) & (Mutongwizo, 2022) pointed out that limited technological infrastructure, low remuneration, and inadequate training contribute to a reliance on personal judgment rather than data-driven decisions. The scarcity of forensic tools,

surveillance systems, and digital databases hinders transparency and consistency in law enforcement (Fretes et al., 2024). Consequently, officers often rely on intuition or hierarchical instructions, thereby reinforcing subjective rather than objective decision-making (Mugari & Obioha, 2018).

More often, law enforcement officers lack the logistical and technological support necessary for standardized enforcement; they often rely on personal judgment, improvisation, or situational negotiation to resolve incidents (Mugari & Chakanyuka, 2024) & (Mutongwizo, 2022). For example, at roadblocks, the absence of digital ticketing or recording systems means fines and warnings are typically issued verbally, with no written trace. This lack of documentation not only undermines accountability but also widens the discretionary space, allowing law enforcement officers to determine outcomes based on subjective assessments or informal interactions, which opens the door to discretionary abuse and corruption (Takabvirwa, 2023).

This aligns directly with the Resource-Based View (RBV) theory, which explains that when operational resources are insufficient, decision-making shifts from rule-based enforcement to personally determined discretion (Oh & Lah, 2024) & (Fretes et al., 2024). Thus, resource scarcity is not simply an administrative challenge; it is a structural condition that shapes how policing decisions are made in practice.

Institutional Culture, Command Structures, and Professional Norms

The findings further show that police discretion is influenced by the organizational culture and internal hierarchical command system of the Zimbabwe Republic Police. Historically, policing in Zimbabwe has been shaped by a militarized institutional identity, emphasizing discipline, obedience, and control rather than community engagement (Mugari & Obioha, 2018). This culture influences how police officers perceive their role; many view their function as imposing compliance rather than negotiating cooperation, resulting in discretionary decisions that tend to favour coercive actions, such as arrest, forced removal, or confiscation of goods, particularly in informal marketplaces and public spaces. Moreover, junior officers often follow the behavioural cues of their seniors, which reinforce established enforcement patterns even when alternative, community-based approaches are available (Mlambo, 2021).

The research findings by (Nakbum & Jang, 2024) & (Chenane et al., 2023) indicate that perceptions of fairness and accountability in police actions influence public compliance and cooperation. In the Zimbabwe Republic Police, the lack of procedural transparency and weak accountability mechanisms often leads to perceptions of injustice and bias, eroding community trust (Mlambo, 2021).

Procedural Justice Theory suggests that where internal governance prioritizes command obedience over reflective judgment, law enforcement officers are more likely to apply discretion in ways perceived as unfair or heavy-handed (Chenane et al., 2023). Thus, institutional culture not only influences how police discretion is used but also structures the meaning of law enforcement itself.

Socio-Political Influence and Public Order Enforcement Expectations

The findings also indicate that the exercise of police discretion is shaped by broader socio-political conditions, specifically the expectation that the police serve as enforcers of

public order and political stability. During periods of political tension, public demonstrations, or civic unrest, discretionary powers are applied more aggressively, often prioritizing control and deterrence rather than negotiated conflict resolution (Mhazo & Maponga, 2022).

Furthermore, everyday policing practices in informal markets and commuter spaces reveal that the notion of "public order" provides officers with wide interpretive authority to determine what constitutes disruptive or illegal behaviour (Takabvirwa, 2023). This contributes to disparate law enforcement, where vendors or commuters are treated differently depending on context, perceived political alignment, or community vulnerability.

Social Capital Theory helps explain the impact of this dynamic: when policing actions are perceived as aligned with political interests, trust between the police and the community declines, undermining cooperation and the legitimacy of law enforcement (Hevi et al., 2022) & (Mangai et al., 2023). This indicates that police discretion does not merely reflect the police officer's judgment; rather, it reflects power relations embedded in the policing environment.

Together, these findings demonstrate that police discretion in Harare Metropolitan Province is not solely determined by law, but also by resource availability, institutional cultural norms, and socio-political expectations, which collectively shape how law enforcement officers interpret and enforce the law in daily policing contexts.

Finally, social and relational dynamics, derived from Social Capital Theory, play a crucial role in this process. Weak police-community relationships, marked by historical mistrust and fear of victimization, reduce opportunities for collaborative policing. As (Mangai et al., 2023) observed in neighbouring South Africa, meaningful community engagement can enhance legitimacy, yet in Zimbabwe, specifically in Harare Metropolitan Province, such partnerships remain underdeveloped.

Consequences of Police Discretionary Practices on Community Relations

The consequences of discretionary practices are analyzed primarily through the lenses of Procedural Justice and Social Capital Theories, demonstrating a deep erosion of public trust and legitimacy.

Erosion of Public Trust and Legitimacy

Abusive and arbitrary police discretion directly violates the principles of Procedural Justice. When law enforcement officers fail to apply police discretion fairly, transparently, and respectfully, as seen in cases of excessive use of force during the COVID-19 pandemic, public perception of police legitimacy declines sharply (Mhazo & Maponga, 2022) & (Chenane et al., 2023). According to Procedural Justice Theory, this perceived unfairness, regardless of the ultimate outcome, diminishes citizens' willingness to cooperate and comply with law enforcement (Nakbum & Jang, 2024).

The consequences of unchecked police discretion in Harare Metropolitan Province manifest in strained community relations and declining public confidence. Excessive use of force, harassment of informal traders, and politically motivated enforcement actions have diminished public trust in the Zimbabwe Republic Police (ZRP) (Mlambo, 2021) & (Mhazo & Maponga, 2022). This is consistent with findings from (Almeida, 2020) & (Chenane et al., 2023), which show that when police discretion appears arbitrary, citizens' willingness to cooperate with law enforcement decreases.

Conversely, evidence from regional comparisons shows potential for positive transformation when police discretion is guided by accountability and fairness. (Peiffer et al., 2019) demonstrate that in South Africa, targeted anti-corruption interventions and leadership commitment significantly reduced police corruption. This finding highlights that, when effectively managed, police discretion can enhance both operational efficiency and public trust and legitimacy.

In Zimbabwe, however, accountability mechanisms remain weak. (Takabvirwa, 2023) documents how police roadblocks have become sites of extortion rather than safety enforcement. The absence of transparent internal disciplinary systems perpetuates impunity and deepens public resentment. Thus, while discretion remains an indispensable policing tool, its misuse undercuts legitimacy and hinders community policing efforts.

Deterioration of Social Capital

The lack of perceived procedural fairness leads directly to a breakdown in social capital. When communities mistrust the police due to inconsistent and politically motivated enforcement, the mutual trust and shared norms necessary for effective policing efforts are destroyed (Mugari & Obioha, 2018). The inability to build meaningful cooperation, which is a core objective of community policing, is severely challenged by the institutional failures to regulate discretion ethically (Mangai et al., 2023) & (Rakubu et al., 2023). This erosion of social capital impacts collective security and fuels a cycle of mistrust, making effective law enforcement cooperation difficult to achieve (Hevi et al., 2022). The regional context supports this, showing that when discretionary practices are poorly regulated, corruption and discrimination persist, leading to public resistance (Tšehlo, 2024) & (Peiffer et al., 2019).

The study also found that structural factors such as limited resources and political interference mediate the effects of discretion on community trust. According to (Oh & Lah, 2024), organizational fairness moderates how discretion impacts legitimacy. This implies that improving resource allocation and internal governance could reduce misconduct and rebuild confidence in law enforcement institutions.

Overall, the findings suggest that the current exercise of police discretion in Zimbabwe, specifically Harare Metropolitan Province, reflects a tension between statutory ideals and practical realities. Police discretion, when used constructively, can promote responsive and context-sensitive policing, but without proper oversight, it risks reinforcing patterns of inequality and abuse (Turner & Rowe, 2024) & (Mugari & Chakanyuka, 2024).

CONCLUSION

This study, through a thematic analysis of recent literature, examined the exercise of police discretion within community policing environments in Harare Metropolitan Province, focusing on informal trading spaces and roadblocks along major commuter routes. The findings reveal that while the Zimbabwean legal framework outlines general guidelines for police conduct, the actual practice of police discretion is shaped by limited resources, inadequate technology, institutional culture, and socio-political influences. In informal markets such as Mbare Musika, Machipisa, and the Central Business District, discretionary decisions often lack consistency and are open to informal negotiations, leading to perceptions of unfairness and exploitation. Similarly, the absence of transparent documentation at urban

roadblocks facilitates selective enforcement and corruption. These issues directly affect community policing, which depends on trust, collaboration, and accountability; arbitrary or financially motivated discretion undermines public confidence and weakens cooperation with law enforcement. The erosion of legitimacy diminishes the effectiveness of crime prevention and public safety initiatives, emphasizing the need for ethical and transparent use of discretion to rebuild public trust. To strengthen community-oriented policing, the study recommends the development of standardized guidelines defining when officers may warn, fine, confiscate goods, or arrest, particularly in informal trading zones and at roadblocks. Enhancing institutional capacity through training in procedural justice, communication, and non-coercive engagement, supported by technological tools such as digital fine-recording systems and body-worn cameras, is also crucial. Furthermore, promoting collaborative Community Policing Forums (CPFs) and regular dialogues with vendors' associations, commuter groups, and local leaders will restore social capital and foster mutual trust. Future research should design empirically grounded, technology-driven policy interventions to enhance transparency and structured decision-making, shifting police culture from political influence and militarization toward procedural fairness and community partnership to uphold human rights and equitable law enforcement in Zimbabwe.

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