



**ANALYZING THE ROLE OF SOUTHERN AFRICAN
DEVELOPMENT COMMUNITY (SADC) IN THE POLITICAL
AND ECONOMIC CRISIS IN ZIMBABABWE (2007-2013)**

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DECLARATION

I, Goto, Kudzai declare that,

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2. This thesis has not been submitted for any degree or examination at any other University.
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DEDICATION

To my beloved sister Petra Tendai Goto who passed away on the 21st of April 2013. Losing her in my life is like losing a piece of my heart or soul, but the love and kindness she brought into my life will always give me peace and joy. All that is left to be done now is to celebrate and cherish all the loving memories we shared together. Dear Petra, I do have hope and faith in God that I will see you again in the second coming of Jesus Christ as illustrated by the book of Thessalonians that “*we who are still alive...will be caught up together with those who have fallen asleep in the clouds to meet the Lord in the air.*” I would like to thank the Heavenly Father that although you have left us, you are now in a better place with no pain, no sorrows and no sadness. I know that you are proud of me wherever you are and you will continue to watch over me. May God rest you my dear Sister!

Love you always

Kudzai

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Table of Contents

Declaration.....	2
DEDICATION.....	iii
Acknowledgements	iv
TABLE OF FIGURES.....	ix
Abbreviations	x
Abstract and Key Terms	xii
CHAPTER ONE	1
OVERVIEW OF THE STUDY	1
1.1. Background to the Study	1
1.2. Problem Statement.....	6
1.2.1. Key Research Questions.....	6
1.2.2. Research objectives:	6
1.3. Research Justification.....	7
1.4. Research Methodology.....	8
1.5. The scope of the study.....	10
1.6. Limitations of the Study	10
1.7. Structure of dissertation	11
CHAPTER TWO	13
Literature review and theoretical framework.....	13
2.1. Introduction	13
2.2. Literature review: the role of SADC in the Zimbabwean crisis	14
2.3. Theoretical Framework	23
2.4. Understanding Mediation in General.....	24
2.5. Types of mediation approaches:	26
2.5.1. Evaluative Mediation	26

2.5.2. Facilitative Mediation.....	27
2.5.3. Problem Solving Mediation	28
2.6 Transformative Mediation.....	30
2.7. Conclusion.....	35
CHAPTER THREE	37
The Zimbabwean crisis and SADC: Setting the Stage	37
3.1. Introduction	37
3.2. Mapping the political and economic crisis in Zimbabwe	38
3.2.1. How the crisis began.....	38
3.2.2. The climax of the economic crisis in Zimbabwe	42
3.2.3. The indicators signifying the severity of the Zimbabwean crisis	44
3.2.4. The political aspect of the crisis.....	46
3.3. The Southern African Development Community (SADC)	49
3.3.1. Composition of SADC	49
3.3.2. Transition from SADDC to SADC	51
3.3.3. The basic objectives of SADC.....	52
3.3.4. The Structure of SADC	54
3.4. SADC's Security Architecture	57
3.5. Conclusion.....	60
CHAPTER FOUR.....	62
Analysing the role of SADC in the political and economic crisis in Zimbabwe: An application of Transformative Mediation Theory	62
4.1 Introduction.....	62
4.2. SADC and the mediation process: a preliminary assessment	62
4.3. 'Quiet Diplomacy' as a Problem-Solving mediation model	65

4.4. Zuma's mediation style in the Zimbabwean crisis.....	67
4.5. Problematics inherent in the GPA.....	69
4.6 Zimbabwe's election, 2013.....	71
4.7. Post-election crisis in Zimbabwe.....	74
4.8. SADC's role in Zimbabwe's crisis. An argument in favour of applying Transformative Mediation Theory.....	77
4.8.1. Summary and elaboration of chapter's findings	77
4.8.2. Arguments in favour of applying transformative mediation theory to SADC mediation in Zimbabwe.....	80
4.9. Conclusion.....	84
CHAPTER FIVE	87
SUMMARY AND SUGGESTIONS FOR CONSIDERATION	87
5.1 Summary of content & argumentation	87
5.2 Consideration of selected principles and practices of transformative mediation theory in its capacity as an alternative model to (aspects of) problem-solving theory as manifested in the extant SADC strategy of quiet diplomacy.	89
Bibliography	96
Books and chapters in books.....	96
Journal articles, published reports and papers.....	98
Internet sources	106

TABLE OF FIGURES

FIGURE 1: MAP OF SADC.....	50
FIGURE 2: THE ORGANOGRAM OF SADC.....	54

ABBREVIATIONS

ANC	AFRICAN NATIONAL CONGRESS
AU	AFRICAN UNION
AD	AGGREGATE DEMAND
ADR	ALTERNATIVE DISPUTE RESOLUTION
AS	AGGREGATE SUPPLY
BZS	BRITAIN, ZIMBABWE SOCIETY
CGR	CRISIS GROUP REPORT
COMESA	COMMON MARKET FOR EASRTEN AND SOUTHERN AFRICA
COPAC	CONSTITUTION PARLIAMENT SELECT COMMITTEE
COSATU	CONGRESS OF SOUTH AFRICAN TRADE UNIONS
CWOM	COMMONWEALTH OBSERVER MISSION
CZC	CRISIS IN ZIMBABWE COALITION
DIRCO	DEVELOPMENT OF INTERNATIONAL RELATIONS AND COPORATIONS
DRC	DEMOCRATIC REPUBLIC OF CONGO
ESSAP	ECONOMIC STRUCTURAL ADJUSTMENT PROGRAMME
EU	EUROPEAN UNION
FLS	FRONTLINE STATES
FTLRP	FAST TRACK LAND REFORM PROGRAMME
GDP	GROSS DOMESTIC PRODUCT
GPA	GLOBAL POLITICAL AGREEMENT
GNU	GOVERNMENT OF NATIONAL UNITY
HIV	HUMAN IMMUNODEFICIENCY VIRUS
HRW	HUMAN RIGHTS WATCH
ICG	INTERNATIONAL CRISIS GROUP
ISDSC	INTER-STATE DEFENCE AND SECURITY COMMITTEE
IMF	INTERNATIONAL MONETARY FUND
ISS	INSTITUTE FOR SECURITY STUDIES
JOMIC	JOINT MONITORING AND IMPLEMENTION COMMITTEE
LRRP	LAND REFORM AND RESETTLEMENT PROGRAMME
MDC-N	MOVEMENT FOR DEMOCRATIC CHANGE- NCUBE

MDC-T	MOVEMENT FOR DEMOCRATIC CHANGE- TSVANGIRAI
MDG	MILLENNIUM DEVELOPMENT GOALS
NEPAD	NEW PARTNERSHIP FOR AFRICA’S DEVELOPMENT
NGO	NON GOVERMENTAL ORGANISATIONS
POSA	PUBLIC ORDER AND SECURITY ACT
RISDP	REGIONAL INDICATIVE STRATEGIC DEVELOPMENT PLAN
SACU	SOUTHERN AFRICAN CUSTOMS UNION
SADC	SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
SADCC	SOUTHERN AFRICAN DEVELOPMENT COORDINATION CONFERENCE
SATUCC	SOUTHERN AFRICAN TRADE UNIOIN COORDINATION COUNCIL
SEAC	SOUTHERN AFRICAN ELECTORAL ADVISORY COUNCIL
SIP	STRATEGIC INDICATIVE PLAN
SIPO	STRATEGIC INDICATIVE PLAN FOR THE ORGAN
SSR	SECURITY SECTOR REFORM
UK	UNITED KINGDOM
UN	UNITED NATIONS
UNDAF	UNITED NATIONS DEVELOPMENT ASSISTANCE FRAMEWORK
UNDP	UNITED NATIONS DEVELOPMENT PROGRAMME
UNSC	UNITED NATIONS SECURITY COUNCIL
USA	UNITED STATES OF AMERICA
ZANU-PF	ZIMBABWE AFRICAN NATIONAL UNION-PATRIOTIC FRONT
ZAPU	ZIMBABWE AFRICAN PEOPLE’S UNION
ZCBC	ZIMBABWE CATHOLIC BISHOPS’ CONFERENCE
ZCTU	ZIMBABWE CONGRESS OF TRADE UNION
ZEC	ZIMBABWE ELECTRORAL COMMISSION
ZESA	ZIMBABWE ELECTRICITY SUPPLY AUTHORITY
ZESN	ZIMBABWE ELECTION SUPPORT NETWORK

ABSTRACT AND KEY TERMS

Twenty years ago, Zimbabwe was hailed as the “bread basket” of the Southern African region, unfortunately Zimbabwe has now become a basket case for its neighboring countries and beyond Africa. Zimbabwe’s political and economic crisis is indeed a typical example of post-colonial state failure in Africa. Zimbabwe is facing a multidimensional crisis which has negative effects on its citizens and has resulted in an overflow of refugees into neighbouring countries such as South Africa and Botswana among others. This then has increasingly led to a situation whereby the neighboring countries have realized that they have a crucial role to play in trying to resolve the issues in Zimbabwe for the stabilization of the region and the country. The effort of these neighboring countries towards transforming the Zimbabwean crisis was prominently done through the regional body, SADC. This study analyses and examines SADC’s role in trying to resolve the political and economic crisis in Zimbabwe. The study interrogates the methods or strategies which SADC used to deal with the Zimbabwean crisis, as they gave South Africa a mediating role to try and resolve the crisis. The study adopts and recommends Transformative Mediation theory as an explanatory and analytical framework. Transformative Mediation theory is based on empowering the disputing parties, and enhancing each party's recognition of the other. Empowerment and recognition are two key concepts of Transformative Mediation. These concepts are essential analytical tools in evaluating whether or not SADC’s mediation efforts succeeded in resolving the crisis. The study concludes by reflecting on how SADC can strengthen its crisis and conflict mediation mechanisms and techniques.

KEYWORDS: ROLE OF SADC, Zimbabwe Crisis, Transformative Mediation Theory

CHAPTER ONE

OVERVIEW OF THE STUDY

1.1. Background to the Study and Preliminary outline of argumentation

The post-Cold War setting of African intervention methods has been characterized by a conviction that the continent needs more locally relevant strategies to peace. According to Graham (2006:27) “the African solutions to African problems slogan frequently resonates with regional as well as continental peace and security frameworks whose rationale is that African leaders must take their destinies into their own hands by creating for themselves peace and human solidarity.” Similarly Mhango (2012) asserts that the objective of crafting African solutions to African problems is to have an intervention strategy that would deal with the underlying causes of conflict without recourse to threats on the mandate of incumbent African governments. Mhango further argues that in the Southern African region, the crisis in Zimbabwe has proved to be an crucial test case for SADC in its intervention efforts, bearing in mind that “the crisis erupted at such a time when Zimbabwe was chairing the SADC Organ for Defense and Security Cooperation, and was apparently at the helm of the resolution of conflicts in the Democratic Republic of the Congo (DRC) in 1998” (2012:15). Mhango adds that political and economic crisis in Zimbabwe jeopardized the country’s stability in such a way that the integrity of Zimbabwe as chair of the Organ came under international criticism, further undermining the credibility of the region’s conflict resolution mechanisms.

The beginnings of the crisis in Zimbabwe date back to the late 1990s when the country began experiencing a number of political and economic problems centred on the unresolved question of land ownership and redistribution. According to Moyo and Matondi (2003), the formation of the Movement for Democratic Change (MDC) in 1998 further contributed to disturbances in the country’s political environment as it elevated hopes for a more democratic government that would guarantee equality and justice in the distribution and management of the country’s resources. Hence, to protect its interests, the ruling Zimbabwe African National Union –Patriotic Front (ZANU-PF) resorted to a counter- strategy which used the land issue as a tool for gathering

support, and also as a weapon for punishing any form of opposition. Muzondidya (2010) avers that, the crisis in Zimbabwe led to state repression which necessitated the intervention of the international community through smart sanctions on the Mugabe regime for enabling a rampage by war veterans on white-owned farms. Muzondidya further argues that what followed was a combination of drastic economic decline and a poor governance record, causing the once regional economic pillar to deteriorate exponentially.

In line with the above arguments, this study contends that the situation in Zimbabwe has been characterized by a series of problems which have left the country in a serious political and economic crisis that has made millions of Zimbabwean citizens to seek refuge in other countries. The poverty levels have increased severely in the country and the effects of crisis are seen in the high rate of unemployment, poor health facilities and poor economic growth. In addition, in 2005-2008 the “South African rand decreased in value in response to the Zimbabwean crisis, and other neighbouring countries began to complain about the economic impact Zimbabwe’s decline is having on their economies, including foreign investment” (Margaret, 2002:6). Human rights abuses, election violence and press censorship have also become the order of the day in Zimbabwe, resulting in further sanctions imposed by some Western countries. These sanctions have increasingly worsened the dilapidated economic and political status quo in the country and hence the situation can be understood as a crisis. Indeed Rivero (2008:1) asserts that Zimbabwe is a failed State on the verge of collapse. He argues that Robert Mugabe and his political party have remained in control since the country gained independence in 1980 and have done so by abusing the state’s resources, using violence and perpetuating themselves in power through electoral fraud (Rivero, 2008). According to the failed state index for The Fund for Peace (2013:1) “Zimbabwe is ranked number 10 in 2013 as one of the failed states in the world.” The Fund for Peace (2013) states that Zimbabwe is on high alert as a failed state with countries such Haiti, DRC, Sudan, Chad and Afghanistan.

All in all, it could be surmised that the past two decades of Zimbabwe political arena have been a turbulent period which has seen an almost total collapse of the vibrant and dynamic society and economy it used to be. The Zimbabwean crisis has directly and most severely affected Zimbabwean citizens who have endured the worst effects of the country’s devastating decline. In

addition the government's mismanagement of the economy triggered a definitive collapse of the Zimbabwean economy in 2000, leaving the country impoverished and destitute.

Overall, a network of related phenomena has contributed to the political and economic crisis in Zimbabwe. These include bad governance, drought, violent land redistribution, hyperinflation, violence imbued elections, military intervention in the DRC and colonial inherited from colonialism. The Zimbabwean crisis has had widespread negative regional ramifications and this has gradually led to the realization by Zimbabwe's neighbouring countries, through the Southern African Development Community (SADC), of the necessity to assist in resolving the crisis for the good of the region as a whole (Mlambo & Raftopoulos, 2010:1).

The March 2008 election in Zimbabwe was characterized by an increase in political violence. According to Dzinesa & Zambara (2010:1) MDC-Tsvangirai won the elections with 47.9% of the votes to ZANU PF's Mugabe with 43.2% votes. This controversial outcome of the election results lead to a run-off election between the two contesting parties. Tsvangirai decided to withdraw from the re-run election as there was a wave of political violence which was directed at MDC supporters. Thus Mugabe was declared the winner of the run-off elections and his victory duly was criticised by Western states as well as the African Union (AU). The controversies surrounding Mugabe's election victory led the African Union (AU) to invite SADC to take a mediating role in the crisis. The mandate to play a mediating role was specifically assigned to the leadership of South Africa. With this mandate, "in March 2007, SADC convened an Extra-Ordinary Summit of Heads of State and Government, in Tanzania, through which it tasked South Africa with the mandate to manage the political and economic crisis in Zimbabwe" (Murithi & Mawadza, 2010:2). The objective of the summit was to address the situation in Zimbabwe punctuated by the increasing incidence of political violence including the public beating, arrest and torture of opposition and civic leaders as well as wide-spread attacks on the infrastructure of the opposition formations (Murithi & Mawadza, 2010). It should be noted that whilst SADC intervened in the Zimbabwean crisis, their effort was belated and its success is open to doubt and to question.

Hence, the aim of this study is to examine how SADC reacted to the political and economic crisis in Zimbabwe by identifying and interrogating their mediation strategy, which was crafted

by (former) president Mbeki and known as 'quiet diplomacy'. Murithi and Mawadza (2010) argue that historically, SADC had not succeeded in bringing about any meaningful transition in Zimbabwe. "SADC mediation effort became hostage to the persona and outlook of the lead mediator, the then President Mbeki" (2010:2). However, they concede that Mbeki seasoned negotiator who has mediated some of the most difficult issues on the African continent including in Burundi, Sudan, the Democratic Republic of Congo (DRC) and Cote d'Ivoire (Murithi and Mawadza, 2010).

According to Soko and Balchin (2009) South African foreign policy under Mbeki was governed by political and ideological concerns, which related closely to perceptions about South Africa's role on the African continent. Smith-Holm (2009) is of the view that if this assessment is accurate, then Mbeki viewed his role not as one that would be forceful and coercive, but rather consensual and accommodative. This study will examine the extent to which Mbeki's mediation strategy, implemented under the auspices of SADC, was effective crisis in Zimbabwe. The study will suggest ways in which Mbeki could have improved his strategy of quiet diplomacy. Murithi and Mawadza, (2010) note that observers both inside and outside the region feel that Mbeki's soft approach to Mugabe in particular has provided Mugabe with tacit support to continue his repressive regime. However Mbeki's mediation did produce some constructive outcomes. He was instrumental in the formation of the Government of National Unity (GNU) through the signing of the Global Political Agreement (GPA) in 2008. One key objective of the GPA was to find a power-sharing arrangement that would reflect the balance of political power in the country, following the March 2008 elections.

Murithi and Mawadza further point out that the GNU was not an ideal situation. One view is that it in effect rewarded the intransigence of incumbency and thwarted the democratic will of the Zimbabwean people. However, they concede that it is difficult to second-guess what the potential critical situation could have deteriorated into without the signing of the GPA. At the time of the signing of the agreement, the country was on the brink of political, social and economic collapse. Inflation was so high to the extent that the country's Central Bank placed constraints on the amount of money Zimbabweans could withdraw from their bank accounts on a daily basis. Murithi and Mawadza (2010) add that there were fears of an armed uprising and

hospital staff failed to turn up for work, placing the already severely affected health sector under considerable additional strain. The water authority did not have a sufficient amount of chemicals to purify drinking water. Cholera, easily prevented and cured under normal circumstances, broke out, thus compelling the government to declare a humanitarian emergency (Murithi and Mawadza, 2010:5). These factors made SADC realize that Zimbabwe needed serious humanitarian assistance.

This study also looks to SADC's role in the 2013 elections in order to ascertain whether or not these elections were a true reflection of the SADC Principles and Guidelines Governing Democratic Elections. It is pertinent to note that regional organisations in Africa since the early 1990s have been trying to promote democracy and human rights on the continent. However, their efforts did not live up to expectations (Palloti, 2009). This disappointing outcome has often been elaborated in academic literature as a "consequence of African leaders' reluctance to openly criticise their fellow heads of state and set a dangerous precedent that could later backfire on them" (Hope 2006:6). This study also notes that SADC nations tend to hide behind the principle of national sovereignty especially when gross human rights violations have occurred, thus attracting negative attention on a global scale. The study will also investigate the humanitarian crisis in Zimbabwe. According to Human Rights Watch (2009:11) "Zimbabwe is in the midst of an all-encompassing humanitarian crisis that has seen an almost total collapse in the delivery of basic government sanitation, health, and welfare services."

This study will recommend a constructive mediation approach that has the potential to transform the Zimbabwean crisis into sustainable peace. The study will argue that SADC should aim to increase genuine partnership among the conflicting parties who still see each other as political enemies even after signing the Global Political Agreement. The study's hypothesis is that SADC has not played a substantive and long lasting role as mediator. This hypothesis will be tested using Transformative Mediation theory to evaluate and measure the success of SADC's mediation in Zimbabwe's crisis.

1.2. Problem Statement

SADC's mediating role in Zimbabwe reveals the challenges that regional and sub-regional organizations face in effectively addressing internal crises in their member states. As this study shows, the Zimbabwean crisis is far from over and the country is still mired in poverty. Additionally, the 2013 election effectively disempowered the opposition. If these and other problems remain unresolved, the study argues that Zimbabwe is likely to experience a more serious crisis than before. Therefore, one objective of the study is to present Transformative Mediation theory as an alternative and in the long run, more constructive mediation framework than quiet diplomacy, a crisis management strategy which achieved superficial and short term solutions, without addressing the deep structures of conflict and crisis in Zimbabwe. In order to elucidate and elaborate the research problem and objectives, this study will utilize the following key questions and broader issues:

1.2.1. Key Research Questions

- I. What are the causes of the political and economic crisis in Zimbabwe?
- II. Was SADC an appropriate mediator in the Zimbabwean crisis?
- III. What methods or strategies were used by SADC to resolve the Zimbabwean crisis?
- IV. How effective were SADC's mediation efforts in transforming the Zimbabwean crisis into sustainable peace and stability?
- V. How can SADC improve its crisis and conflict mediation efforts in Zimbabwe and by extension in other member states?

1.2.2. Research objectives:

- I. The study will show that a mediation approach of quiet diplomacy did not manage to empower and make the conflicting parties recognise their needs and differences.
- II. The study will provide the historical foundations of the Zimbabwean crisis and map the evolution and structures of SADC.
- III. The study will demonstrate that transformative mediation theory is an instructive analytical and evaluative framework.
- IV. The research will determine transformative mediation (as an alternative approach) has the potential to initiate lasting peace and stability in Zimbabwe.

1.3. Research Justification

The role of regional organisations such as SADC in the political and economic crisis in member states is fertile research territory. This study emphasizes the need for third-party intervention in African conflicts or crises as in the case of Zimbabwe. According to Osita Agbu (2006:19) the terms “third party intervention” is used to refer to a person or team of people who become involved in a conflict to help the disputing parties manage or resolve it. For Agbu (2006) states mediators not only facilitate discussions, but they usually impose a structure and process on the discussions that are designed to move the parties towards mutual understanding and win-win agreements (Agbu, 2006).

The concept of third party intervention is particularly crucial in the Zimbabwean case. The role of SADC and its mediators in Zimbabwe resulted in a power sharing agreement that was signed by the leaders of the opposition and the ruling party. However SADC has faced a number of challenges with the full implementation of the power sharing deal, in such a way that the conflicting parties did not follow through on their agreements. This lack of follow-through is at least partly attributable to SADC. According to Murithi and Mawadza (2010) regional organizations are mandated to make the necessary interventions, but SADC’s major weakness is that it makes ambiguous mandates and fails to effectively implement them. Given this situation, this study is motivated by the need to examine the mediation strategies and methods that SADC used to try and resolve the crisis in Zimbabwe.

This study also aims to contribute to the existing literature on the role of SADC in trying to resolve the political and economic crisis in Zimbabwe. Many scholars have written about the role of SADC in the Zimbabwean crisis but there still remains a scarcity of research materials that focus on how best SADC can improve and strengthen its mediation efforts in resolving the crisis in Zimbabwe. Several scholars have examined the role of SADC in the 2008 elections in Zimbabwe but the role of SADC in 2013 elections has not been sufficiently researched. Thus the study aims to address this gap by examining SADC’s role in 2013 election, and its complicity in a procedurally flawed outcome. In utilizing the discourse of transformative mediation to evaluate SADC’s mediation role, the study (to the least of the author’s knowledge) is making an original contribution to the extant literature.

1.4. Research Methodology

This study employs both historical and qualitative research techniques to unpack the role of SADC in trying to resolve the political and economic crisis in Zimbabwe. According to Elena, et.al (2011), the historical research approach involves finding, using, and correlating information within primary and secondary sources, in order to communicate an understanding of past events. Busha and Harter (1980: 90) state that the historical approach entails the “systematic collection of data which is preceded by the objective evaluation of information related to past events so as to test hypotheses in regards to their causes and effects in order to be able to explain the present trends and have focus on the future.” In essence, this research method enables useful insight into phenomena through a careful assessment of narrative data collected on the nature and causes of the Zimbabwean crisis and the methods that SADC used in resolving the crisis. Thus the use of historical research method is linked to the case study which helps in the design of the specific research questions and research objectives.

This study utilizes a qualitative approach. The rationale for the study’s use of the qualitative research method is so as to arrive logically at, and engender qualitative justifications on, the “what and how” questions the study sought to answer. Qualitative research is “generally associated with interpretive epistemology which tends to be used to refer to forms of data collection and analysis which rely on understanding, with an emphasis on meanings” (Marshall, 1998:11). Liebscher (1998:669) notes, qualitative “methods are appropriate when the phenomena under study are complex, are social in nature, and do not lend themselves to quantification.” Therefore, “qualitative research is essentially exploratory and involves methods of data collection that are non-quantitative or non-numerical” (Miles & Huberman, 1994: 32-48). This study will use qualitative research through accessing of secondary data such as, books, journals, newspaper articles and internet sources.

Additionally, applicable primary sources were also used for this study such as public documents released by the South African and Zimbabwean governments and international organisations on the role of SADC in Zimbabwe. According to Sekaran and Bourgie (2010) a primary source is a document or physical object which was written or created during the time under study. Primary data refer to information obtained first-hand by the researcher on the variables of interest for the specific purpose of the study (Sekaran & Bourgie, 2010). They further state that primary sources

are present during an experience or time period and offer an inside view of a particular event. For example, this study uses the public report released by the Southern African Trade Union Coordination Council (SATUCC) on the elections results of the 2013 elections in Zimbabwe which will help to determine if SADC played an effective role in evaluating the elections.

To analyze and adapt the information sourced from both secondary and primary documents; the study utilized the content analysis and document analysis method of analyzing data. According to Duignan, (2008:2) “document analysis is a form of qualitative research in which documents are interpreted by the researcher to give voice and meaning around an assessment topic.” He further states that “analysing documents incorporates coding content into themes similar to how focus group or interview transcripts are analysed” (2008:2). In similar vein Leedy (1997:5) states that “document analysis is a social research method and is an important research tool in its own right and is an invaluable part of most schemes of triangulation.” For Leedy (1997) documentary work involves reading lots of written which relates to some aspect of the social world. He further argues that official documents are intended to be read as objective statements of fact but they are themselves socially produced. This study will use document analysis through journal articles and books in order to extract and analyze the themes and arguments on the role of SADC in the political and economic crisis in Zimbabwe. For instance this study will use a journal article by Mlambo and Raftopoulos (2006) titled *The Regional Dimensions of Zimbabwe’s Multi-Layered Crisis: An Analysis*. This document is useful for this study as it outlines and describes the causes of the political and economic crisis in Zimbabwe and how the regional bodies such as SADC have responded to the crisis.

This study also uses content analysis as a method of analyzing the data. According to Kolbe and Burnett (1991) content analysis is an observational research method that is used to systematically evaluate the symbolic contents of all forms of recorded communications. Sekaran and Bourgie (2010) state that content analysis can be used to analyze newspapers, websites, advertisements recordings of interviews, and the like. They argue that “the technique of content analysis enables the researcher to analyze (large amounts of) textual information and systematically identify its properties, such as the presence of certain words, concepts, characters, themes, or sentences” (2010:53). Content analysis establishes the existence and frequency of concepts (such as words,

themes, or characters) in a text (Sekaran & Bourgie, 2010). Content analysis analyzes and interprets text by coding the text into manageable content categories. For example, this study will use the theoretical framework of Transformative mediation theory which uses key concepts that are crucial to analyze the research topic.

On the basis of content analysis technique, the researcher (drawing from qualitative insights) will be able to make inferences and isolate relevant/specific content from diverse data generated during the data collection of this study. Hsieh and Shannon (2005:127) state that content analysis constitutes a very important part of the qualitative research approach and is expended to construe meaning from the context of the data text. Thus, the use of this approach was aimed to facilitate understanding and to clearly explicate information specific to the study.

1.5. The scope of the study

This study analyses the role of SADC in the political and economic crisis in Zimbabwe from 2007 to 2013. The study has picked this time frame (2007 to 2013) because SADC was formally mandated by AU to play a mediating role in the Zimbabwean crisis. This time frame is also crucial for this study because SADC was involved in monitoring and evaluating the 2008 and 2013 elections in Zimbabwe.

1.6. Limitations of the Study

This study has its own limitations and weaknesses especially due to the type of research method that is used. The major limitation of using qualitative research method is that research on the role of SADC in the Zimbabwean crisis is a sensitive issue which needs to be approached with great caution. For instance, it is difficult to approach the SADC headquarters to get in depth information on their involvement in the Zimbabwean crisis. The other limitation of using this methodology is that research quality is heavily dependent on the individual skills of the researcher and more easily influenced by the researcher's personal biases. Finally, if the research is not grounded in field work conducted by the research, it is more appropriate for her to make suggestions than to assert her right to make recommendations.

1.7. Structure of dissertation

CHAPTER ONE: OVERVIEW OF THE STUDY

The first chapter gives a general overview of the study by bringing out a brief background of the study, research questions, research objectives and limitation and scope of the study. This first chapter also outlines the methodology that will be used to conduct this study.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

The second chapter reviews literature on the role of SADC in the Zimbabwean crisis. The chapter also looks at the different conclusions that scholars have reached in trying to analyse the role of SADC in the Zimbabwean crisis. This chapter also unpacks and adopts the theoretical framework of transformative mediation which helps to examine and analyse the role of SADC in trying to resolve the crisis in Zimbabwe.

CHAPTER THREE: THE ZIMBABWEAN CRISIS AND SADC: SETTING THE STAGE

The third chapter outlines and describes the historical background of the Zimbabwean crisis and the formation of SADC. This chapter maps the political and economic crisis in Zimbabwe by bringing a range of literature from various scholars about the nature and causes of the Zimbabwean crisis. This second section of this chapter outlines the objectives, functions and the security structure of SADC.

CHAPTER FOUR: ANALYSING THE ROLE OF SADC IN THE POLITICAL AND ECONOMIC CRISIS IN ZIMBABWE: AN APPLICATION OF TRANSFORMATIVE MEDIATION THEORY.

The fourth chapter is the main crux of this study which analyses the role of SADC in the political and economic crisis. The chapter applies transformative mediation theory to examine if SADC played an effective role to try and resolve the crisis in Zimbabwe as well as to find out if they were successful to resolve the crisis. The transformative mediation theory will be used as analytical tool to access the methods or strategies that SADC used to try and solve the crisis, as they mandated Thabo Mbeki to play a mediating role in the crisis. This chapter aims to find out if Mbeki was the right person to mediate in the Zimbabwe crisis and if he succeeded in his mediation efforts in Zimbabwe. The study also tries to compare the different stances that Mbeki and Jacob Zuma took to try and resolve the crisis in Zimbabwe.

CHAPTER FIVE: SUMMARY AND SUGGESTIONS FOR CONSIDERATION

This chapter concludes by outlining possible solutions improvements and technique for SADC to use in their mediation efforts in Zimbabwe. It brings out the findings, and conclusions of this study. Thus, the chapter summarises the main research findings and provides an overall conclusion to the study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1. Introduction

A literature review is a step-by-step process that involves the identification of published and unpublished work from secondary data sources on the topic of interest, the evaluation of this work in relation to the problem, and the documentation of this work (Sekaran and Bougie, 2010:38). The aim of this chapter is to present a range of literature on the role¹ of SADC in the political and economic crisis in Zimbabwe. Given that SADC played a mediation role in trying to resolve the political and economic crisis in Zimbabwe, the chapter also looks at the different conclusions that scholars have reached in trying to analyse the role of SADC in the Zimbabwean crisis. Significant scholarly works on the role of SADC in the Zimbabwe crisis have offered different perspectives on SADC's role in the crisis for example, a few scholars have praised the role of SADC in Zimbabwe whilst many scholars have criticised SADC's role in trying to resolve the crisis in Zimbabwe.

Sekaran and Bougie, (2010:39) further state that literature review helps the researcher to develop a good problem statement: it ensures that no important variable is overlooked in the process of defining the problem. Thus a literature review would prevent such a waste of resources in reinventing the wheel that is, wasting effort on trying to rediscover something that is already known (2010:39). They both argue that a survey of the literature also facilitates the creative integration of the information gathered from the structured and unstructured interviews with what has been found in previous studies. In other words, it gives a good basic framework to proceed further with the investigation. A good literature review thus provides the foundation for developing a comprehensive theoretical framework from which hypotheses can be developed for testing (Sekaran and Bougie, 2010).

The second part of this chapter unpacks and adopts the theoretical framework of transformative mediation which is the basis or foundation of this research. The potential for transformative

¹ The word role means “assumed or part played by a person or a group of people in a particular situation” (www.oxforddictionaries.com). In this case SADC played a mediation role in the political and economic crisis in Zimbabwe. A mediation role is a form of alternative dispute resolution by a third party to resolve a dispute between conflicting parties like in the case of the Zimbabwean crisis.

mediation is that any or all parties or their relationships may be transformed during the mediation process. Transformative mediation theory is an Alternative Dispute Resolution (ADR)² and it falls under the broader concept of conflict resolution³. The second section begins with conceptualising the process of mediation and it aims to bring out the different approaches of mediations which are facilitative mediation, problem solving mediation, evaluative mediation and transformative mediation. Amongst these mediation approaches the study recommends the use of Transformative mediation theory which brings an alternative strategy for SADC to enhance its mediation efforts in addressing the political and economic crisis in Zimbabwe.

2.2. Literature review: the role of SADC in the Zimbabwean crisis

This review is embedded in the discourse on efforts at resolving the political and economic crisis in Zimbabwe by the regional body SADC. Available literature on this issue shows that scholars are divided on the success or not of the mediation efforts by SADC. Zandile Bhengu has praised the role of SADC in trying to resolve the Zimbabwean crisis. According to Bhengu (2010:6) “the role of the SADC mediators in Zimbabwe resulted in a power sharing deal that was signed by the leaders of the opposition and the ruling party. It brought to an end the conflict evoked by the March 28 as well as the June 29, 2008 elections.” An inclusive government was formed through this deal. Bhengu analyses the role of SADC mediators in Zimbabwe by exploring the process behind the breakthrough of the mediation. She explores the impact that the SADC mediation, as a form of peace diplomacy, had in bringing about a resolution to the long standing conflict in Zimbabwe. She takes into account the fact that mediation competes with other forms of intervention such as military intervention, economic and political sanctions, and so forth (2010:8).

Bhengu further argues that the SADC mediation effort, though the facilitation of Thabo Mbeki, was a persuasive dialogue which was successfully applied in Zimbabwe and the signing of the power-sharing deal was the proof. She believes that many will agree that, over time, the policy of quiet diplomacy which was adopted by Thabo Mbeki seemed to be ineffective in addressing the

² According to Brown and Cervenak (2006:4) Alternative Dispute Resolution (ADR) describes a wide variety of dispute resolution mechanisms and processes that parties can use to settle disputes with or without the help of a third party. ADR is classified into four types which are mediation, negotiation, conciliation and arbitration (Brown and Cervenak, 2006).

³ Agbu (2006:20) states that “Conflict Resolution addresses the causes of conflict and seeks to build a new and lasting relationship between hostile groups.”

crises in Zimbabwe, but eventually the results were positive. Bhengu concludes her thesis by stating that the mediator was there to facilitate the deal leading up to the government of National Unity. She argues that the implementation and success of the Global Political Agreement (GPA) rests with the parties to the deal. For her, it would be unreasonable to measure the success of the (GPA) by looking at how the government duties were executed. She therefore recommends that SADC leadership should avoid displaying weakness by not agreeing on how to handle regional conflict. The division caused by the Zimbabwe crisis delayed intervention and showed that SADC is not ready to act as a collective (Bhengu, 2010:99).

In line with the above argument Mlambo and Raftopoulos have also praised the role of SADC in trying to resolve the crisis in Zimbabwe. Mlambo and Raftopoulos (2009:1) analyse the regional dimensions of Zimbabwe's multi layered crisis. They examine the impact of the Zimbabwean crisis on the SADC region and they also outline the various initiatives that SADC took to resolve the crisis. Mlambo and Raftopoulos (2009:9) state that SADC mediation efforts through Mbeki managed to successfully secure a Global Political Agreement in September 2008 that committed the parties "to work together to create an honest, viable, permanent, sustainable and nationally acceptable solution to the Zimbabwe situation and charting a new political direction for the country." They believe that the Zimbabwean crisis has also "showed the limits of regional pressure in trying to deal with states that openly break the democratic rules of the regional body, and the constraints of Western pressure in the face of its perception around democratic governance" (Mlambo and Raftopoulos, 2009:20). They conclude by stating that,

It is very important that we have an appropriate understanding of the continent and the region we are situated in, so that our expectations of what SADC can do, and even the AU, should be properly tempered.....although SADC has got 15 member countries.....the contribution of these different member countries of SADC was differential in the search for a solution to the problem of Zimbabwe-not because they have different levels of commitment but because not all of them could contribute to the same extent. Thus the SADC mediation effort is more than one could have achieved if one went the route of coercive diplomacy (Mlambo and Raftopoulos, 2009:23).

In similar vein, Dzinesa and Zambara (2010:65) state that “the SADC mediation in Zimbabwe provided a litmus test for the regional body’s capacity to resolve conflicts using mediation as a constructive and non-violent tool. There is no doubt that some successes were scored and that Zimbabwe’s imminent implosion was halted.” However, although Dzinesa and Zambara acknowledge some successes scored by the SADC mediation efforts, they take a critical view of some of the implications of SADC’s intervention in Zimbabwe and the role SADC played in crisis management and conflict resolution and in preventing the country from collapsing. They argue that it would have been logical for SADC, as guarantor of the GPA, to assign a team of field observers for the duration of the transition and that the lack of a regional monitoring mechanism to oversee the implementation of the agreement and of a strict time-table to review progress contributed to the slow pace of reform in Zimbabwe (2010:64). They conclude by highlighting the major concerns of SADC mediation process in Zimbabwe. One of the major concerns is that leaving political parties, who had been at each other’s throats for years, to implement the GPA on their own and monitor themselves through Joint Monitoring and Implementation Programme (JOMIC)⁴ was probably SADC’s most serious misjudgment to date (2010:64).

Murithi and Mawadza (2010) in their book *Voices from Pan African Society on Zimbabwe: South Africa the African Union and SADC* argue that the African Union (AU) and the Southern Africa Development Community (SADC) have maintained a constant engagement with the developments in Zimbabwe. They discuss how SADC took over the mantle of addressing the situation in Zimbabwe. They argue that despite the criticism levelled against quiet diplomacy, SADC and South Africa have been instrumental in the transition process in Zimbabwe (2010:1). They assert that the role played by SADC and South Africa in particular as mediator in the Zimbabwe crisis cannot be over-emphasized, and maintain that the SADC intervention, including Mbeki’s era of quiet diplomacy, has been widely criticized as flawed. (2010:1). Similarly the International Crisis Group (ICG) argue that Mbeki has been hesitant to break away from his quiet diplomacy and he has refused to publicly criticise Mugabe and condemn the increasing political violence in Zimbabwe. The International Crisis Group further argue that

⁴ The Joint Monitoring and Implementation Committee (JOMIC), created under Article XXII of the Global Political Agreement (GPA), is tasked with ensuring that the three parties implement the GPA fully and complies with all the terms of the power-sharing deal (Dzinesa and Zambara, 2010:65).

SADC, as the main owner of the mediation process in Zimbabwe, failed to put pressure on Thabo Mbeki to take a much tougher stance in dealing with the Zimbabwean crisis. Thus for the ICG, SADC should have realised that Mbeki was too close to Mugabe to be sufficiently objective in his mediation approach (International Crisis Group, 2008:5).

Prega Ramsamy criticises the role of SADC in the Zimbabwean crisis. According to Ramsamy (2011:2) “SADC was seen in the early stages of the crisis as in full support of the events that happened in Zimbabwe. Solidarity was the keyword and no public statement against the government of Zimbabwe was made despite gross violations of human rights.” This resulted in SADC receiving widespread international criticism for failing to take a public stand against human rights violations, breaches of the rule of law and repression in Zimbabwe. He adds that SADC’s reaction to the international criticism has been one that respects national sovereignty. SADC opposed interfering internally in a sovereign country’s politics arguing that complete regime change would come through democratic, free and fair elections. Ramsamy further argues that SADC’s mediation effort to resolve the Zimbabwe crises faced several challenges. Two examples are that SADC failed to ensure the full implementation of the GPA by all signatories to the agreement and there was lack of a common position within SADC regarding the Zimbabwe crisis. Ramsamy concludes by stating that SADC still has much to do to resolve the crisis in Zimbabwe. SADC determination to resolve the situation in Zimbabwe through peaceful means is without question. However, for him everything depends upon the full implementation of the GPA, especially in a sequential manner that will pave the way towards free and fair elections.

Arrigo Pallotti (2012:29) argues that, “the Zimbabwe crisis has been one of the most contentious and challenging political issues SADC has faced since its creation in 1992.” He notes that great expectations developed at both the international and regional level about the role SADC could play in resolving the political and economic crisis in Zimbabwe. It did not take long before these expectations turned into a sense of frustration, since SADC neither suspended Zimbabwe, nor adopted sanctions against it, nor has it been able, to date, to effect a real change of political leadership in the country (Pallotti, 2012:29). Pallotti (2012) and Cawthra (2010) argue that SADC tended to avoid open criticism of human rights violations and political violence in Zimbabwe. According to Pallotti (2012:29) most SADC leaders downplayed several reports on electoral violence and intimidation, and considered the results of both presidential elections of

March 2002 and 2008 legitimate. In so doing, SADC attracted strong criticism from Western countries that accused the Southern African governments, and in particular South Africa, of paying only lip service to human rights and good governance.

In similar vein, Cawthra and Niewkerk (2004:5) argue that “SADC was much more reluctant to intervene in Zimbabwe, agreeing publicly with Mugabe that the crisis was a result of the need for land redistribution which was caused by Western sanctions.” However, mediation by Mbeki “resulted in a Global Political Agreement (GPA) in which Mugabe retained the presidency but the main opposition leader, Morgan Tsvangirai, was appointed prime minister and dual executive power was established” (2004:5). The resulting Inclusive Government, which lessened the impact of economic collapse, continues to be characterized by conflicts over key issues of power.

According to Pallotti (2012) the SADC intervention approach to the crisis in Zimbabwe suffered from two main political weaknesses. In the first place, “SADC had neither the political leeway nor the financial resources required to provide a lasting solution to the land issue in Zimbabwe (and in Southern Africa), and the regional leaders carefully avoided antagonising Mugabe and putting at risk their own political legitimacy among their electorates” (2012:17). In the second place, “SADC started debating the problem of land reform in Zimbabwe when the political situation in the country had already deteriorated to such a point that the national leadership had made the Fast Track Land Reform Programme (FTLRP) the mainstay of its strategy to remain in power” (2012:33). According to Robert (2004:4) African regional cooperation strategies have been characterised by “the slow development, if not outright absence of social considerations in the integration process and even when mechanisms for social policy development and social dialogue are created, these often remain dormant due to insufficient political or financial support.”

Gavin Cawthra examines the role of SADC in managing the political crisis and conflict in Madagascar and Zimbabwe. According to Cawthra (2010:3) SADC seems increasingly divided over how to deal with the crisis in Zimbabwe and the future of the country remains uncertain. He argues that during the period of the crisis SADC did not give itself any mediation role, and it was only in 2007 when African Union (AU) directed that SADC be put in charge of mediating a solution to the crisis in Zimbabwe (Cawthra, 2010:6). For Cawthra the appointment of Mbeki

proved to be controversial, with the Movement for Democratic Change-Tsvangirai (MDC-T)⁵ arguing that he was pro- ZANU-PF. He further contends that SADC remained openly silent on issues of human rights, and it did not effectively encourage the promotion of free and fair elections, it failed to exercise any criticism of the electoral processes in Zimbabwe. Moreover, he contends that SADC has generally presented a united front, which most observers have interpreted as being in support of the incumbent regime, and it has been widely criticised internationally for failing to take a public stand against human rights violations, breaches of the rule of law and repression. Cawthra (2010) concludes that SADC tends to support incumbents in power and that the presidents of member states act in mutual support of each other. For Cawthra, it is clear that major transformations need to take place within Zimbabwean political, security and economic sectors for sustainable democracy to emerge thus he recommends SADC to assist Zimbabwe to reconstruct its security structure through the process of security sector reform (2010:34).

The Crisis Group (CG) reports that, “the SADC and AU have shied away from any direct criticism of Mugabe but have applied increasing pressure as the election violence increased” (2008:10). There is a growing consensus among a core group of SADC countries, centring around Tanzania, Botswana and Zambia, that Mugabe needs to step down from power, an interim government should replace the present regime, and, for this to happen, the South African mediation must be enhanced (Crisis Group, 2008:10). Similarly Cox and Anderson outline how SADC has failed to intervene in the Zimbabwean crisis. They argue that,

Formed to improve the economic and security conditions of its member states, the Southern African Development Community (SADC) has been unable to intervene in Zimbabwe. Plagued with feeble economies, dependent on external aid, and possessing leaders unwilling to criticize another revolutionary leader from the independence movements of the 1970’s and 1980’s, the SADC is currently ineffective in improving the economic or political situation in Zimbabwe (Cox and Anderson, 2007:2).

⁵ The MDC split into two factions led to two different political parties which are MDC-Tsvangirai and MDC-Mutambara.

Jonathan Moyo (2009:1) supports the above view and further states that “the SADC Summit in Lusaka did not do anything meaningful about resolving the Zimbabwean crisis.” Moyo adds that SADC was not set up to play a mediation role in Zimbabwe, and hence it does not have the capacity to deal with national questions facing Zimbabwe today. By 2012, however, Moyo had adopted a different view about the role of SADC in Zimbabwe. He states that SADC has achieved its responsibility by bringing the rival parties together and brokering the GPA; however, after this negotiation period, SADC has continued nonstop to be involved when in fact they should have withdrawn and let the parties figure out a solution for themselves. Moyo notes that, “SADC did not take a back seat, political parties have failed to find consensus on policy issues over the past four years. As a result the inclusive government has failed to substantiate any policy achievements” (2012:2). He believes that, “the continuous negotiating of government processes have also resulted in the undermining of the institutions of the state and it has also created the practice of cabinet caucusing”, (2012:2) whereby a portion of the membership of a voting body decides to vote as a block, even though other members of the cabinet might be inclined to vote the other way. Moyo adds that this has undermined the power and control of the government and its functionality (2012:3).

According to Makova (2012:1) “SADC as a regional body has reached a point where it can no longer act on the Zimbabwean crisis and Zimbabweans should not continue pinning their hopes on SADC’s mediation efforts.” Makova (2012:1) also argues that “SADC has been held captive with the Zimbabwean crisis for years now, but the regional bloc has not come up with effective mechanisms to enforce full implementation of the GPA and other unresolved issues, such as an election roadmap.” The International Crisis Group Report (2012a:3) supports Makova’s view as it notes that SADC’s mediation efforts in Zimbabwe have shown the region’s inadequate capacity to implement agreements it brokered. ICG (2012a) add that SADC’s under-resourced mediation efforts impose more burdens and responsibilities on the mediators. The ICG (2012a:3) further argue that “civil society engagement in SADC processes in Zimbabwe has been at best tangential, confirming the gulf between the regional body and its citizens.” The Zimbabwean crisis also shows that structural governance deficits and politicised security sectors increase conflict. In consequence, SADC mediation demonstrates how difficult it is to mediate in a situation of unconstitutional changes in government, violent elections and violations of the region’s electoral guidelines and laws (ICG, 2012a).

According to Ndlovu Gatsheni, SADC has been reluctant to apply direct pressure on Mugabe to fully implement the GPA, not least because Mugabe and his associates have been successful in projecting themselves as victims of an imperialist onslaught (Gatsheni, 2011:13). Even though countries such as Botswana, Zambia and Tanzania have raised questions about ZANU–PF and Mugabe’s handling of the results of the March 2008 presidential polls, Mugabe has successfully invoked sympathy from a majority of SADC’s leaders by regularly deploying the term ‘imperialist sanctions’. Mugabe has also made effective use of the imposition of sanctions by the EU and the US to explain the causes of the economic meltdown that engulfed Zimbabwe after 2000 and to justify his reluctance to implement the GPA. Mugabe’s strategy has had enough regional success to enable the emergence of SADC in calling for “the unconditional removal of ‘sanctions’ imposed on Mugabe and his close political associates” (Gatsheni, 2011:14). As the key SADC negotiator for Zimbabwe, South African President Jacob Zuma has taken the lead in trying to convince Britain, the EU and the US to remove restrictive measures and smart sanctions imposed on those accused of committing various human rights abuses (Gatsheni, 2011:14). Even Khama of Botswana called for the removal of sanctions during his 2010 state visit to South Africa. Thus ZANU–PF has made the removal of sanctions a condition to implement the GPA in full.

Chris Alden takes a more critical stance than Gatsheni. According to Alden, (2010:2) regional organisations in Africa have not demonstrated that “they could be effective mediators or instruments for endorsing compliance with progressive norms within the international structures of governance”. From a Western perspective, regional organisations in Africa have served mainly as buffers against globally inspired action by providing diplomatic resistance to external interference. He cites the example of an unrepentantly authoritarian regime in Zimbabwe. He extends his criticism to SADC which, far from imposing diplomatic and economic penalties (as western countries have done) has provided Zimbabwe with vigorous support. This support is particularly evident in the stance taken by the South African government. However, Alden concedes that “within the boundaries of established regional practice, a close investigation of regional organisations and their member states reveals that actions were taken to criticise the Zimbabwean regime” (Alden, 2010:2).

In the view of John Lunn (2012:3), “the mediation efforts of the SADC continue but many feel that they have been occasional and inefficiently sustained.” Lunn adds that in 2011, South Africa again became increasingly involved in the negotiation process which anticipated producing an agreement on an election road-map for Zimbabwe, with President Zuma playing the role of SADC mediator. One motivation was the growing concern at the social and economic effect of the presence of a substantial number of Zimbabwean economic and political immigrants in South Africa. As a result the Pretoria government declared that in mid-2011 it planned to resume deporting illegal Zimbabwean immigrants back to Zimbabwe in future (Lunn, 2012:3).

The foregoing review has highlighted key features of debates on the role of SADC in trying to resolve the political and economic crisis in Zimbabwe. A few scholars such as, Bhengu, (2010); Mlambo and Raftopoulos, (2010) have praised the role of SADC in trying to resolve the crisis in Zimbabwe. These scholars argue that the SADC mediation effort was successful because it resulted in a power sharing deal through the signing of the GPA. However these authors do not take into account that although the GPA was signed there was lack of genuine partnership between ZANU-PF and the opposition parties. This study addresses this gap by finding ways in which SADC should aim to increase genuine partnership among the conflicting parties, through empowerment and recognition of the other; this is because the political parties in the country still see each other as political enemies even after signing the Global Political Agreement.

Scholars such as Dzinesa and Zambara, (2010); Murithi, (2010); Ramsamy, (2011); Palotti (2012); Cawthra, (2010); Cox and Anderson, (2007); Moyo (2009); Makova, (2012); Alden, (2010) and Lunn, (2012), have taken a different stance. They have criticised the role of SADC in trying to resolve the political and economic crisis in Zimbabwe. These scholars argue that SADC failed to criticise the Zimbabwean government for gross human rights violations and that SADC did not sufficiently encourage the promotion of free and fair elections in the country. They also point out that SADC lacks sufficient funding and effective regional monitoring mechanism to oversee the full implementation of the GPA. The above scholars also focused on Mbeki’s mediation efforts and the role that SADC played in the 2008 elections. However the role that SADC played in the just ended 2013 elections in Zimbabwe has not been sufficiently researched by scholars, thus this study aims for that gap by examining the role of SADC in the 2013 elections. Most scholars criticised the policy of quiet diplomacy which Mbeki adopted but do not

sufficiently propose and elaborate an alternative mediation strategy that Mbeki could have used. Thus this study suggests and recommends the use of transformative mediation theory as strategy to try and resolve the crisis in Zimbabwe. This study is not however, suggesting that this theory will definitely resolve the crisis in Zimbabwe but the theory can be adopted as an alternative strategy for SADC to strengthen its mediation efforts in trying to resolve the crisis in Zimbabwe.

In light of the above, this chapter argues that there is a paucity of research that focuses on the issue of how effectively mediation efforts can be strengthened to empower regional organizations such as SADC. It is noteworthy that most scholars pay insufficient attention to ways in which SADC can follow through the full implementation of the GPA and to see if the conflicting parties are complying with the agreements that they signed up for. Against this backdrop of an insufficiently researched issue, this study offers the theory of Transformative mediation as an alternative dispute resolution mechanism to examine the role of SADC in the Zimbabwean crisis. Utilizing the theory of transformative mediation, the study evaluates the effectiveness of SADC's mediation efforts in the Zimbabwean crisis, and analyses Mbeki's strategy in trying to resolve the crisis in Zimbabwe. The theory of Transformative mediation emphasizes the need for empowerment and recognition for the other parties' needs and concerns in order to transform a crisis ridden situation into a reasonably stable and peaceful situation. The next section of the chapter explores the theory of transformative mediation

2.3. Theoretical Framework

According to Jurgen, Milososk and Schwarz (2006:6) "almost every academic discipline has its own theoretical approach of understanding conflicts. Economists are focused on game-theory and decision-making, psychologists explore interpersonal conflicts, and sociologists take status and class conflicts as the crucial point, while political science is centered on intra-national and international conflicts." Phiri (2013:13) asserts that any appropriate framework has to possess a striking affinity with the context upon which it is going to guide. That particular framework also has to be relevant to the objectives that the intended study seeks to achieve. According to Sekaran and Bougie a theoretical framework is the foundation of a research and it is the basis of the hypotheses that one develops. Sekaran and Bougie (2010:39) further argue that "a theoretical framework represents ones beliefs on *how* certain phenomena (or variables or concepts) are related to each other (a model) and an explanation of *why* one believes that these variables are

associated with each other (a theory).” In the specific context of this study it is instructive firstly, to highlight Agbu’s contention that Transformative mediation theory is based on the values of "empowerment" of each of the parties as much as possible, and "recognition" by each of the parties’ needs, interests, values and points of view (2006:33).

Secondly, it should be noted that central to transformative mediation theory is the idea that human beings do not only seek to satisfy their individual needs: they also have a desire for connectedness. Thirdly Carole Durbin and Peter Doogue discuss the theory, and state that mediation is a process in which a third party works with parties in conflict to help them change the quality of their conflict interaction from negative and destructive to positive and constructive (1999:2). Fourthly, Joel Green (2006:1) argues that “it seems that transformative mediation is best suited to on-going situations.” Following Green’s argument, it can be inferred that transformative mediation is best suited to the Zimbabwe crisis which is an on-going crisis. The chapter aims to show in due course how these four pillars of Transformative mediation can be applied to SADC’s role in the political and economic crisis in Zimbabwe. In addition empowerment and recognition are key concepts in transformative theory and this chapter expands more on these two concepts. The chapter begins by highlighting understandings of mediation in general. It then narrows its focus to transformative mediation.

2.4. Understanding Mediation in General

According to Osita Agbu (2006:32) mediation is an informal, voluntary and confidential process in which a trained professional dispute resolver (the mediator) facilitates understanding, communication and negotiation between disputing parties and assists those parties in reaching their own mutually acceptable resolution to their dispute. Due to polarity occasioned by issues in the conflict, conflict parties often find it difficult to negotiate hence, the coming in of a third person to facilitate negotiation disputants. Mediation, according to Moore (1996:1) “is the intervention in a negotiation or conflict of an acceptable third party who has limited or no authoritative decision-making power but who assists the involved parties in voluntarily reaching a mutually acceptable settlement of issues in dispute.” Goodpaster (1997:203) points out that mediators are unlike judges or arbitrators, “mediators have no authority to decide the dispute between the parties; instead, the parties empower the mediator to help them resolve the issue between them”.

According to Kochan and Jick (1978:5) mediation is a process in which a neutral party attempts to get the direct participants (unions and employers in collective bargaining) to reach a voluntary agreement. In the case of the SADC's mediation efforts in the Zimbabwean crisis, Heine argues that Mbeki's mediation efforts brought considerable capital to the negotiation table. However, his neutrality was questionable because Mbeki was too close to President Robert Mugabe (Heine, 2009). Kochan and Jick (1978:5) maintain that the primary objective of mediation is to get the parties to reach an agreement. Therefore, the ultimate criterion of effectiveness or success of mediation is whether or not the intervention achieves this goal. They argue that mediation is also a "continuous narrowing process in which the parties start with a large number of unresolved issues and narrow them down until none are left unresolved and the total agreement is reached" (1978:5). Consequently, an additional measure of mediation effectiveness is the proportion of issues that are resolved during the mediation process.

According to Bhengu, there is a growing consensus among scholars that third parties mediate because they have certain interests to protect. She observes that the "neighbor mediator, normally a government or regional organization, seeks to preserve regional stability by preventing the effects of the conflict spreading to neighboring countries" (2010:15). She notes that "neighboring countries exhibit clear and realistic understanding of the tendency of major and long-lasting conflicts to draw in other governments, so that rapid settlement of the dispute is seen as a way of preventing the internationalization of regional disputes" (2010:16). This view resonates well in the Zimbabwean context in that the Mbeki-led mediation had interests to protect. SADC had to prove the authority and effectiveness of the organization, based on the principle of 'African solutions for African problems'⁶. Moreover, SADC possessed proximity and legitimacy because Zimbabwe is within its jurisdiction and is a member of the regional organization. As leading mediator South Africa had its own interest to protect from the spill-over effects of the crisis in Zimbabwe. According to Kochan and Jick (1978:6) what necessitates the mediation process is the need to deal with conflict. This is applicable to this study, given that the crisis in Zimbabwe was not confined to Zimbabwe. In South Africa's case for instance, the

⁶ The notion of African solutions to African problems hinges on the desire of African states to be subjects of their own destiny. This will firstly help Africans to drive their desire for self-determination without external interference which re-lives the experience of colonialism in Africa (Scanlon et al 2007:13).

Zimbabwean crisis spilt over in the form of xenophobic attacks by local communities on Zimbabwean refugees.

In regard to a general understanding of mediation, it is worth noting that there are a number of variables which ultimately forces one to divide the mediation processes in different types and categories. The variables come up due to the way different theorists perceive the mediation process. Theorists differ especially on the level in which the mediator will be involved and also on the aims of the mediation process, even the nature of the process itself. As a result of these variables mediation is divided into many types. This chapter, however, identifies and focuses on four types of mediation which speak to this study.

2.5. Types of mediation approaches:

2.5.1. Evaluative Mediation

Zumeta (2000:1) understands evaluative mediation as “a process modeled on settlement conferences held by judges”. She further points out that the duty of an evaluative mediator is tailor-made to assist “the parties in reaching resolution by pointing out the weaknesses of their cases, and predicting what a judge or jury would be likely to do” (2000:1). Agbu (2006:29) states that an evaluative mediator might make formal or informal recommendations to the parties as to the outcome of the issues. Evaluative mediators are concerned with the legal rights of the parties rather than needs and interests of parties, and evaluate based on legal concepts of fairness. Likewise Zumeta notes that evaluative mediators help the parties and attorneys evaluate their legal position and the costs versus the benefits of pursuing a legal resolution rather than settling in mediation. The evaluative mediator structures the process, and directly influences the outcome of mediation (Zumeta 2000:3).

Zumeta further observes that what is noticeable about evaluative mediation is the active involvement of the mediator in the mediation process. People who are involved in the mediation process are experts who map how the actual process is going to be. Lastly their chief fundamental aim is to reach a settlement. This type of mediation falls under problem solving mediation because it aims at settling a conflict and conflict is nothing but a problem which needs to be solved (Zumeta 2000:3).

The proponents of evaluative mediation argue that clients want an answer if they cannot reach agreement, and they want to know that their answer is fair. They point to ever-increasing numbers of clients for evaluative mediation to show that the market supports this type of mediation more than others. However critics of evaluative mediation, such as Adam Rick (2006:9), argue that evaluation in mediation defeats the legitimate and desirable expectation of the parties about the process on which they are embarking. Rick further argues that this type of mediation gains its popularity due to the base of attorneys who choose evaluative mediation because they are familiar with the process. Most clients, Rick believes, would not choose evaluative mediation if given enough information to make a choice. Critics of evaluative mediation worry that the evaluative mediator may not be correct in his or her evaluation of the case.

This study finds this mediation approach unyielding in the context of analyzing the role of SADC in the Zimbabwean crisis because the theory is more concerned about the legal rights of conflicting parties than about their interests and needs of the rival parties. The other weakness of evaluative mediation is that it aims to settle a conflict quickly in short period of time; this however will not work well in the Zimbabwean crisis which is an ongoing crisis which needs mediation approach which aims to lead to lasting peace, irrespective of election results at any given time.

2.5.2. Facilitative Mediation

The primary mission of the facilitative mediator, according to Riskin (1997:36) “is to clarify and to enhance communication between the parties in order to help them decide what to do.” Joseph Stulberg (1997:37) adds that “facilitative mediation is the oldest type of mediation, made popular in the 1960s and '70s”. According to Stulberg, this theory of dispute resolution encourages the mediator to work with all the parties to aid them in reaching a resolution that is agreeable for everyone involved. He further states that the mediator listens to all sides, helping the parties analyze the issues as well as explore options that would be favorable for a resolution (1997:38).

Stulberg argues that while the mediator does not recommend a solution, he or she does offer advice and even opinions regarding the potential outcome. He notes that it is the job of the mediator to keep the opposing parties from intimidating each other and digressing into a bitter

language, resorting to name calling and other non-productive behaviors (Stulberg, 1997:41). With this type of mediation, all parties can hear each other's point of view in a safe environment. The mediator listens, validates concerns, and aids the parties in coming to a reasonable, mutually acceptable agreement. Another important element about this mediation is that unlike evaluative mediation, the mediators are not legal experts.

Proponents of facilitative mediation view this type of mediation as empowering parties, and helping them take responsibility for their own disputes and the resolution of the disputes. However, critics of this theory such as Charlie Irvine (2007) and Robert Condlin (2012) argue that facilitative mediation takes too long and too often ends without agreement. These critics worry that outcomes can be contrary to standards of justice and that mediators in these approaches cannot protect the weaker party. This point is important in the Zimbabwean situation, where Mugabe is prominent and commands respect from SADC. The ruling party in Zimbabwe might take advantage of the situation to discredit the opposition and to strengthen Mugabe's dominance. On the other hand the opposition party (MDC) has been weakened by factionalism and leadership battles within the party as well as lack of support within the SADC region. Similarly, the International Crisis Group (ICG) argue that many regional leaders were and still are wary of the MDC as being a puppet of the British. This view is based on "the allegation that its main source of funding comes straight from Britain" (ICG, 2003:60). Its stance on land reform was not clear; hence it did not provide a better alternative to the ZANU-PF. The ICG further point out that, the split within the MDC did no better than to raise "more suspicion on its capability as an alternative to ZANU-PF." (2003:60). Thus, although facilitative mediation has some strong elements, it does not sufficiently provide an alternative mediation strategy to resolve the crisis in Zimbabwe.

2.5.3. Problem Solving Mediation

According to Heidi Burgess and Guy Burgess (1997:14) "the major goal of problem solving mediation is generating a mutually acceptable settlement of the immediate dispute". They argue that problem solving mediators are often highly directive. In their attempts to reach their goal they control not only the process, but also the substance of the discussion, focusing on areas of consensus and resolvable issues, while avoiding areas of disagreement where consensus is less likely. Although all decisions are, in theory, left in the hands of the disputants, problem solving

mediators often play a large role in crafting settlement terms and obtaining the parties' agreement (Burgess and Burgess, 1997). They further state that there are many differences between transformative and problem solving mediation. The only similarity is that each uses a third party to assist the disputing parties to begin dealing with the dispute in a new way.

Burgess and Burgess further assert that problem-solving or "settlement-oriented" mediation, which is by far the dominant approach in the field today, is just what the name implies it is focused on solving a problem by obtaining a settlement (1997:15). The settlement-oriented mediator usually explains that this is the purpose at the outset and defines a process that will assist the parties to work toward that goal. All of the mediator's actions also are designed to facilitate that outcome. Emotions which might escalate anger and thus prevent a settlement are controlled. With problem solving mediation issues that are non-negotiable are diverted, while parties are encouraged to focus on negotiable interests (1997:15).

According to Burgess and Burgess, mediators in problem solving tend to discourage a discussion of the past, as that often involves blame which can make progress more difficult. Rather, parties are encouraged to focus on what they want in the future, and develop ways in which their interests can be met simultaneously (1997:16). They observe that sometimes the settlement-oriented mediator acts more like an arbitrator than a transformative mediator, proposing a solution and working hard to 'sell' it to the parties. Strictly speaking an arbitrator's decision is binding; he or she does not have to sell it. However, the settlement oriented mediator sometimes acts like an arbitrator when he or she takes the role of the 'expert,' and comes up with the settlement provisions for the parties (Burgess and Burgess, 1997). Settlement-oriented mediators often try to keep the parties moving forward, encouraging them to move from one 'stage' to the next as quickly as possible and using a deadline as an inducement to come to an agreement (Burgess and Burgess, 1997).

Critics of problem solving mediation such as Bush and Folger (1994:4) argue that "mediation's greatest value lies in its potential not only to find solutions to people's problems but to change people themselves for the better, in the very midst of conflict." The major weakness of problem solving mediation is similar to evaluative mediation because both theories aim at resolving a problem within a short term process and this process rushes to the next stage without fixing the

underlying factors that caused the conflict. Thus, in the context of this study, the problem solving approach is not adequate to resolve the Zimbabwean crisis. A good example of the weakness of this approach is the Global Political Agreement (GPA), which was signed between ruling party and the opposition parties through the mediation efforts of Thabo Mbeki. The GPA was a short term resolution or settlement which later experienced recurring problems with the full implementation of the agreement. The problematic and disputed outcomes of the GPA signify the inherent flaws in a short term and instrumentalist approach such as problem solving mediation.

2.6 Transformative Mediation

In *The Promise of Mediation* (1994), Robert Bush and Joseph Folger clearly outline a framework for the practice of transformative mediation. Bush and Folger's approach is notably different to the problem-solving approach. The transformative approach to mediation does not seek resolution of the immediate problem, but rather, seeks the empowerment and mutual recognition of the parties involved. According to Brad Spangler (2003:1), Bush and Folger propose that “transformative mediation can effect much deeper changes in people and their interpersonal relationships, beyond the short term and superficial remedies of problem solving.” They propose a way of practicing mediation that seeks to address deeper levels of social life.

Spangler adds that by employing a specific perspective on mediation practice as well as specific techniques, Bush and Folger show that transformative mediation possesses the power to change how people behave not only toward their adversary in a particular conflict, but also in their day-to-day lives thereafter. Mediation, in their opinion, can transform individuals. For mediators who adhere to the framework of transformative mediation, achieving this type of long-term change is more important than solving a specific problem between parties (Spangler, 2003). Transformative mediation theory fits well in the context of SADC's mediation efforts in the Zimbabwean crisis which needs a mediator who will help conflicting parties to transform their behaviour and attitudes towards each other in order to work together to bring about sustainable peace for the country.

According to Spangler (2003) the primary objective of transformative mediation is to foster the parties' empowerment and recognition, enabling them to approach their current problem, as well as later problems, with a stronger, more open view. According to Bush and Folger, (1994:6) "the chief goal of transformative mediation is to cultivate the parties' ability to empowerment and to empathize, thereby enabling them to approach their current problem, as well as future problems, with an effective, yet more open view." This approach, according to the founders, avoids the problem of mediator defectiveness which so often occurs in problem-solving mediation, putting responsibility for all outcomes squarely on the disputants (Bush and Folger, 1994:6).

Bush and Folger propose two important concepts in transformative mediation which seeks the empowerment and mutual recognition of the parties involved. They are essential because empowerment is central to any mediation process for it serves to enlighten and clarify the nature of disputes in order to remove subjectively oriented selfishness and encourage an objective and reasonable way of looking at conflict. Empowerment, according to Bush and Folger (1994:5), "is the restoration to individuals of a sense of their own value and strength and their own capacity to handle life's problems." They explain that through empowerment, disputants gain greater clarity about their goals, resources, options, and preferences and that they use this information to make their own "clear and deliberate decisions" (1994:5). In similar vein, Bialiyena (2013:6) notes that empowerment implies "that some actions should be done with the object (in case at hand parties in mediation), in order to give power, the role of mediator is of particular interest." He further points out that the parties' empowerment in mediation could be greatly influenced by the mediator, depending on which model of mediation he or she adopts and how well he or she adheres to the fundamental principles of that model (Bialiyena,2013).

Recognition means "enabling the parties to see and understand the other person's point of view to understand how they define the problem and why they seek the solution that they do" (Bush and Folger, 1994:5). As with empowerment, the effect of recognition in transformative mediation is to extend it beyond a particular conflict and into the parties' everyday lives. In the long term, achieving recognition in transformative mediation should help expand parties' ability and willingness to relate to others in a more understanding and considerate way (Spangler, 2003). Recognition is something one gives, not just something one gets. It is a process of acknowledging one's adversary as a human being with his or her own legitimate situation and

concerns. According to Bush and Folger (2003) recognition must be based on empowerment in that parties must be confident in their freedom to make decisions regarding the course of the dispute. However empowerment and recognition are essential concepts that the conflicting parties in Zimbabwe lacked. The ruling party and opposition parties in Zimbabwe were constantly at loggerheads and they failed to empower each other even after the signing of the GPA and they also failed to recognize each other's needs and perspectives and this in turn hindered the full implementation of the GPA. It can be inferred from the preceding statement that SADC's mediation efforts in Zimbabwe were insufficiently facilitative of empowerment and recognition of the conflicting parties, thus compromising the effectiveness of the implementation of the GPA.

According to Tanya Glaser (1996:264) empowerment and recognition reflect two basic premises of transformative mediation theory. Glaser states that firstly the authors claim that mediation is more than just a tool for settling disputes. Mediation has the potential to produce valuable transformations in the character of the participants. Secondly, the authors claim that this transformative potential can best be realized by mediators who use certain attitudes and practices to guide the mediation process (Glaser, 1996). Bush and Folger refer to these attitudes and practices as hallmarks of the transformative approach to mediation. In similar vein, Burgess and Burgess (1997) state that Bush and Folger presented a list of 10 hallmarks of transformative mediation that distinguish its practice from other forms of third-party intervention processes. Burgess and Burgess summarize these hallmarks as follows:

1. In the opening statement, the transformative mediator will explain the mediator's role and the objectives of mediation as being focused on empowerment and recognition.
2. The transformative mediator will leave responsibility for the outcomes with the parties.
3. A transformative mediator will not be judgmental about the parties' views and decisions.
4. Transformative mediators take an optimistic view of the parties' competence and motives.
5. Transformative mediators allow and are responsive to parties' expression of emotions.
6. Transformative mediators allow for and explore parties' uncertainty.
7. Transformative mediators remain focused on what is currently happening in the mediation setting.
8. Transformative mediators are responsive to parties' statements about past events.
9. Transformative mediators realize that conflict can be a long-term process and that mediation is one intervention in a longer sequence of conflict interactions.

10. Transformative mediators feel (and express) a sense of success when empowerment and recognition occur, even in small degrees. They do not see a lack of settlement as a failure (1997:16).

Glaser states that “these hallmarks may also help in developing transformation-oriented performance and evaluation criteria” (1996: 265). She further argues that, these criteria will be needed if transformative mediation is to be a viable alternative to the presently more common problem solving approach (Glaser, 1996). Thus some of these hallmarks of transformative mediation approach will be useful tools for improving SADC’s mediation efforts in trying to resolve the political and economic crisis in Zimbabwe.

Transformative mediation has similar characteristics to other conflict intervention methods. Burgess & Burgess (1997:5) state that John Lederach uses the term “conflict transformation” in a similar although broader way than Bush and Folger. Lederach (1997:11) suggests that conflict professionals stop focusing on “resolution,” because resolution often involves the continuation of injustice. He also rejects the notion of conflict management because it is too narrow. Management, he asserts, tends to focus on the technical and practical side of peacemaking, while ignoring the cultural and relational issues (Lederach, 1997). In this case Lederach’s argument is relevant to the SADC led mediation which aimed at managing the Zimbabwean crisis without fully transforming it into sustainable peace. Lederach uses the term conflict transformation to describe his approach to peace building. Just like Transformative mediation, Lederach (1997:12) argues that “in order to build peace, negative or destructive interaction patterns need to be transformed into positive or constructive relationships and interactions.” For Lederach this occurs through personal and systemic change that encourages and allows the parties to pursue truth, justice, and mercy simultaneously with peace. Like Bush and Folger, Lederach focuses on the development of empowerment and mutual recognition, along with interdependence, justice, forgiveness, and reconciliation.

However, critiques of Transformative mediation such as Robert Condlin (2012:325) “reject[s] the relational vision of human capacity and motivation, and the view that human beings have inherent capacity and desire for both agency and empathy”. Condlin (2012:239) further argues that “supportive interventions of transformative mediation are the equivalent of the mediator doing nothing and just waiting for the parties to take control.” He believes instead “in the

individualistic view that human beings in conflict are motivated by self-interest without any deep sense of social connection or empathy, and that they usually require strong outside direction to do what is best for them” (2012:239). Proponents of transformative theory such as Cardozo rejects this claim and states that “Condlin’s view is a distortion of the specific transformative interventions described concretely in the case-examples and taught in intensive mediation training programs” (2013:232). He further argues that “this claim is particularly offensive to the thousands of practitioners who have mastered the proactive, non-directive intervention skills on which transformative practice is built, and who have seen the positive impact on parties’ interaction”(2013:232). For example, transformative mediation is successfully applied by Carolyn Manning (2006) when she examines the effectiveness of transformative mediation to address workplace conflict.

According to Manning (2006) transformative mediation provided participants with an opportunity to reframe their negative perceptions of each other and to shift their interpersonal dynamics into more favourable territory. Manning’s study “consisted of 20 cases (some of which involved single and multiple complainants) that were referred to Carolyn Manning Consulting Services for mediation” (2006:1). The mediations all involved interpersonal conflict between individuals within the workplace. For Manning a transformative outcome or success was defined as a commitment by the parties to improve their communication and relationship with each other. An example of a transformative component incorporated into a mediated agreement was “a commitment by the parties to regularly meet in an effort to rebuild their relationship” (Manning, 2006:1). Furthermore, most of the parties cited in these cases were able to generate practical solutions which addressed both parties’ underlying needs (Manning, 2006). She adds that in the majority of cases, there was a feedback which suggests that both the participants and their respective employers were satisfied with the outcomes generated via transformative mediation which provided a long term solution.

According to Burgess and Burgess (1997:9) since empowerment and recognition are things that happen to people, the transformative approach is most often thought of in terms of interpersonal conflicts family conflicts, conflicts between neighbours, between co-workers, etc. However, Bush and Folger argue in the *Promise of Mediation*, that “the approach is just as applicable in

other kinds of settings as well” (Bush and Folger, 1994:16). Thus since transformative mediation has been successfully applied in different conflict cases such as conflict at workplaces, this study recommends the use of transformative mediation in SADC’s mediation role in trying to resolve the crisis in Zimbabwe. The advantage of using transformative mediation in the Zimbabwean crisis is that transformative mediation looks at deeper issues which lead to the conflict and it encourages empowerment and recognition which are key elements of transforming the conflicting parties’ negative perceptions and attitudes towards each other into a more favourable environment. Transformative mediation as stated earlier in this chapter does not seek a quick or short term solution to a problem but it seeks for a long term solution to the underlying issues of conflict.

2.7. Conclusion

This chapter has outlined a range of literature on the role of SADC in the political and economic crisis in Zimbabwe. The chapter highlighted the different arguments and conclusions that scholars have reached in examining the role of SADC in the political and economic crisis in Zimbabwe. The chapter observed that some scholars have praised and others have criticized SADC’s mediation efforts in trying to resolve the Zimbabwean crisis. However these scholars have not sufficiently proposed an alternative mediation strategy that SADC could have used in trying to resolve the crisis in Zimbabwe. Thus the literature review provided the foundation of developing a comprehensive theoretical framework. The chapter outlined the four different types of mediation and emphasized that amongst the four approaches, Transformative mediation is the one which is most suitable for this study because it has important elements (empowerment and recognition) which can be used to strengthen SADC’s mediation efforts in the Zimbabwean crisis. Thus transformative mediation theory does not seek a resolution of the immediate conflict but rather seeks empowerment and recognition of the conflicting parties. To this end, the study will later on examine SADC’s mediation strategy, using the transformative mediation approach as an analytical framework. The study will evaluate SADC’s mediation process in terms of whether or not it transformed the Zimbabwean situation from crisis to lasting peace and stability⁷.

⁷ See Chapter four for a detailed explosion of how transformative mediation theory can be applied in SADC’s mediation efforts to resolve the crisis in Zimbabwe.

The next chapter looks at the historical evolution of the Zimbabwean crisis as well as the formation and development of SADC before applying the transformative theory to the role of SADC in the Zimbabwean crisis.

CHAPTER THREE

THE ZIMBABWEAN CRISIS AND SADC: SETTING THE STAGE

3.1. Introduction

As a preamble to understanding the nature of SADC involvement in Zimbabwean crisis, it is important to understand what constitutes Zimbabwean crisis as well as the context in which SADC functions as a regional organization. This is particularly relevant given that the overarching aim of this study is to appraise the role of SADC in Zimbabwean crisis. Such an exercise presupposes an understanding of the organizational function of SADC. But also, it is important that a basic understanding of what the crisis entails be made before beginning the task. Consequently, this present chapter is descriptive in essence.

Firstly, it attempts to establish the historical background of the Zimbabwean crisis. In this section, the causes and effects of the crisis are explored as well as the various linkages between them. Some of these include: the DRC intervention, drought of 1992, land invasions in 2002, hyperinflation, bad governance, weakness of opposition parties and election violence. Following Machakanja's (2010:5) submission, it is argued here that the Zimbabwean crisis should be understood as "a complex and inter-related, multi-layered and widespread disaster"; and as such it is better dubbed as "a series of Zimbabwean crises". More importantly it is emphasized that the section below provides an outline of key features of the Zimbabwean crisis. Thus, in view of the complexity of the crisis, the objective of this section is modest.

The historical sketch of aspects of the crisis is followed by an outline the origins and evolution of SADC. The section attempts to articulate the formation of the organization, as well as the objectives of the regional body. The section pays particular attention to the specific security architecture of the regional body so as to establish the ground for evaluating its effectiveness within the region, particularly in the Zimbabwean context. Lastly, the conclusion points to the direction in which the analysis of the relationship between the Zimbabwean crisis and SADC as a regional body shall follow.

3.2. Mapping the political and economic crisis in Zimbabwe

It is ironic that Zimbabwean crisis has occurred in the last decade, hailed by some as an ‘African Renaissance’⁸, one in which many African states pulled themselves up by their bootstraps, attracted foreign direct investments, built up their stock markets and otherwise put economic stability and democratic governance at the centre of their goals (Heine, 2008). At the start, it must be reiterated that the complexity of the crisis means that pinpointing what the crisis really entails, what gave rise to it, and what face(s) it now have are all matters of debate in scholarship. For instance, while some scholars attribute the land occupations of 2000 as the face of the Zimbabwean crisis (Raftopoulos, 2005: 16), others have sought to locate it within post-colonial legacy discourse (Moore & Raftopoulos, 2010:3; Mlambo & Raftopoulos, 2010), and some in the hyperinflation (Hanke, 2008). What seems to carry weight however is a general understanding that the crisis is both political and economic; and that its nature, causes and effects are multifaceted. It is in this context that Machakanja’s (2010: 6) submission is credible: “the history of Zimbabwe is characterized by a series of challenges which, at different turning points, manifested themselves through violent conflicts.”

3.2.1. How the crisis began

In the 1980s, Zimbabwe experienced a steady consolidation of independence, as well as social and economic development that placed the country amongst the top four more industrialized countries in Sub-Saharan Africa (Sachikonye, 2002: 13). During this time, social welfare, in the form of massive expansion in the education and social sectors, was impressive; the economy was growing; and the country had a middle-income status. However, in the subsequent decade, the country’s economy started contracting leaving behind frustration amongst the Zimbabwean populace. How did this come about?

Mlambo and Raftopoulos (2010: 1) argue that the Zimbabwean crisis has been long in the making. As such, the momentous shape it took at the dawn of this millennium is only a reflection of its past history. This historical origin is located in the political and economic inequalities that

⁸The African Renaissance “is a concept which suggests that African people shall overcome the challenges they face in political, economic, social life” (Mbeki, 2005:1).

marked the country's ninety years of colonial rule. In particular, the land question is a signifier of inequality. Unequal distribution of land between a white minority and a black majority formed the basis of the liberation struggle. The struggle itself contingently exhibited anti-democratic tendencies given that it had to take control by force from the colonialists. It is in this context that, Mlambo and Raftopoulos (2010) place the intolerance of "dissenting viewpoints" which characterizes the ruling party leadership which comprises veteran warlords of the liberation movement. That said, the iron-hand of the leadership of the Zimbabwe African National Union-Patriotic Front (ZANU-PF) faced increasing challenges at the eve of the millennium.

In this sense, the emergence in 1999 of a formidable opposition force challenging the hitherto unquestionable power and influence of the ruling ZANU-PF created a panic within the corridors of power leading to ruthless efforts to crush the opposition. ZANU-Pf's concerted attempt to silence the opposition can be traced to the view that Movement for Democratic Change (MDC) "was a front for white, particularly white farmers in Zimbabwe" (Mlambo & Raftopoulos, 2010: 2). Consequently, ZANU-PF initiated a controversial land reform programme, under the banner of the Third Chimurenga economic War, to hit back at the growing opposition. Thus, the emergence of political and economic crisis in Zimbabwe emanates from and is sustained by the interaction between politics and economics. In Moore and Raftopoulos's submission, the Zimbabwean crisis is "rooted in the long-term structural political-economic legacies of colonial rule combined with the legacies of African nationalist politics" but gained momentum in the specific context of a "major threat to the political future of the ruling party ZANU-PF" (in Mlambo & Raftopoulos, 2010: 2).

A politically volatile atmosphere impacted negatively on the country's national economy. For Sachikonye (2002: 14), the 1990s economic crisis was compounded by the implementation of the 5-year Economic Structural Adjustment Programme (ESAP) administered under the auspices of both the World Bank (WB) and the International Monetary Fund (IMF). The programme failed to deliver the expected improvements. On the contrary, its implementation deepened Zimbabwe's economic crisis. For instance, the growth level averaged below 1 percent per annum between 1990 and 1995; the unemployment rate grew from about 30 to 50 percent during same period. Consequently, the rapid de-industrialisation and growing unemployment led to the severe erosion of living standards of the majority (Mlambo & Raftopoulos, 2010: 2). While poor

sequencing of the programme has been blamed for this low result, the orthodox basis of the conditionalities of International Financial Institutions' (IFIs) sponsorship has also been called into question (Allen, 1999; Sachikonye, 2002: 15). In regard to poor sequencing of the programme, Sachikonye observes that the government did not regulate measures to restructure the public sector and social spending in a realistic and systematic manner.

According to Sachikonye, the more sustained economic meltdown which began in 1997 is rooted on the decisions of ZANU-PF's leadership. He highlights two decisions in particular. Firstly, President Mugabe authorised a payment of above 5 million Zimbabwe dollars to war veterans who sought compensation for their role in the liberation struggle. Following this decision, which was unbudgeted in the first place, the Zimbabwe dollar weakened by 50 percent in value by November 1997. Secondly, August 1998 saw another unilateral decision on the Mugabe side which authorised Zimbabwean military involvement in the conflict in the Democratic Republic of Congo (DRC). These twin decisions incurred large expenditures for which the government had not budgeted (Sachikonye, 2002:14).

The August 1998 DRC intervention received widespread condemnation for governmental miscalculation (Mlambo and Raftopolous, 2009:13). The intervention led to an immediate IMF decision to suspend financial aid for land reform, since intervention would entail huge expenditures not accounted for in budgetary forecasts. The intervention was interpreted as Mugabe's attempt to assert some measure of regional authority. In this light, Dashwood argues that Mugabe's effort to gain a foothold in Southern Africa, and assert some form of hegemony, in order to compete with the rise of liberated South Africa in 1994, needs to be factored into any analysis of the "economic mayhem that engulfed Zimbabwe after 1997" (2001:88).

Dashwood (2001:89) adds that "when the decision to intervene became public knowledge, the government was attacked, both by the opposition and by foreign donors, for making a hugely expensive decision with no consideration for Zimbabwe's precarious financial situation and its budget deficit." In September 1998 the government organised a conference to secure donor funding for the Land Reform and Resettlement Programme (LRRP)⁹. However "Britain refused to pledge funds, citing concerns that the land reform programme would not be adequately

⁹ The LRRP was programme "aimed at taking land from rich commercial farmers for redistribution to poor and middle income landless black Zimbabweans" (Human Rights Watch, 2002:2).

transparent to ensure that members of the ruling elite were not, in the end, the main beneficiaries” (Dashwood, 2001:89). Britain, together with the United States, was also annoyed about the decision to intervene in the DRC. Both thought that “the millions spent in the DRC would be better spent on land redistribution and at the end the government walked away at the donor conference with no funding” (Moyo, 2000:28).

According to Sachikonye (2002: 14) “from a strong Z\$12 per US\$1 before November 1997, the currency had weakened to Z\$55 to US\$1 (at the controlled official rate), and Z\$300 to US\$1 (on the parallel market) in 2001”. Unilateral decisions, like those described above, that ignore due process, are justified by the ruling partly in terms of the ideology upon which it bases its legitimacy. Mugabe’s regime frames “a repressive national politics” with the rhetoric of “anti-imperialist, pan-Africanist appeal” (Raftopoulos, 2005: 10). By using selective memory in the discourse of nationalism, the regime was able to confer the status of “the sole arbiter of the national interest, patriotism and authenticity” on the leadership, thereby legitimizing Mugabe’s unilateral decisions.

Other events during the 1990s which led to the worsening of the economy include the droughts of 1992 and 1995 that destroyed the country’s agricultural economy. Consequently, food prices doubled. Alongside the fuel hikes of the 1990, these interrelated events resulted in civil unrest of which labour crisis of 1998 is characteristic. As Cox and Anderson (2007: 2) reveal, “labour strikes became extensive in the late 1990s as the Zimbabwe government introduced price controls over food and basic commodities in an effort to control rising inflation.” In particular, on the 19th of January 1998, a massive spontaneous three-day rebellion erupted in the poor suburbs of the capital, Harare, after the price of corn flour was increased. The Zimbabwe Congress of Trade Unions¹⁰ (ZCTU), under Secretary-General, Morgan Tsvangirai, led mass strikes in 1998 to protest fuel hikes of 67 percent and the subsequent increase in prices of most other basic commodities. These strikes forced the government to “withdraw price hikes on fuel,

¹⁰The Zimbabwe Congress of trade Unions “was at the forefront of championing democracy and multi-party dispensation when the then ruling party was toying with the idea of a one party state in the late eighties. More recently, the labour movement was at the forefront of the creation of a viable national alternative opposition party, thereby nurturing Zimbabwe’s multi-party democracy” (Bond and Manyanya, 2002: 38).

but later in 2000 raised fuel prices again by 20 to 25 percent. The government also took steps to de-register and ban the ZCTU” (Cox and Anderson, 2007:2). The intricacies of the industrial crisis inevitably had an impact on the economy.

As the crisis worsened, government took some steps to rescue the economy. Thus, in mid-1998, Zimbabwe witnessed “the price freeze on staple goods, a late 1998 tariff imposed on luxury imports, and a number of minor technical interventions to raise revenues, slow capital flight and deter share speculation” (Bond & Manyanya, 2002: 38). Bond and Manyanya also point to the case of 1990s exchange control liberation which generated huge abuses. The new regulations on currency sales had to be introduced on the stock market, a broker boycott forced a retraction, and a 2001 state threat to capture individual foreign currency accounts was retracted after threats from the wealthy.

Continuously then, the currency kept weakening as successive government interventions were ineffective in curbing the crisis. The state of hard currency reserves got more perilous; fuel crisis got more severe; and foreign currency shortages increased from early 2000. As a result, the Zimbabwe government found itself under extreme international economic pressure as inflation surged to high costs.

3.2.2. The climax of the economic crisis in Zimbabwe

Hyperinflation in Zimbabwe marked the climax of the economic crisis. As Hanke (2008: 2) remarks: “hyperinflation is the trademark of Zimbabwe's economic collapse”. While it is undoubtedly a contribution to the crisis in that it compounded extant problems, it also is a product of accumulated economic and political instability which besieged the country beginning from the 1990s. Hanke (2008) argues that of the five worst hyperinflation scenarios of the world, Zimbabwe was second on the list. The hyperinflation robbed people and financial institutions of savings and capital respectively, and created severe widespread uncertainty, hindering business planning. Consequently, the Zimbabwean dollar became devalued to the extent that “even a trillion dollars cannot purchase as little as a loaf of bread” (Moyo, 2010:16).

Scholars articulate a variety of opinions about the cause of the hyperinflation. For Hanke (2008), the blame is on the Zimbabwean government’s extensive expenditure and the unscrupulous and unruly printing of money by the Reserve Bank of Zimbabwe (RBZ) (see also Wines, 2006).

Expressing a similar sentiment, Agarwal (2008) argues that Zimbabwe's hyperinflation results from two sources: the government's unscrupulous, quasi-fiscal activities and the diminishing Aggregate Supply (AS) of the country, resulting in an inability to keep pace with Aggregate Demand (AD), thus driving prices higher and then leading to hyperinflation (see also Moyo, 2010: 47). Gono (2007: 5) sums up the state of Zimbabwean inflation: "it is akin to an economic Human Immune-Deficiency Syndrome (HIV) pandemic, extending the severity and extent of Zimbabwe's inflation." Given the extent of the socio-economic crisis, no one was spared from the hyperinflation (e.g. bankers, businessmen, workers, and consumers) (Wijewardena, 2007).

However, Zimbabwe's hyperinflation is said to have ended with the introduction of the South African Rand and United States dollar as legal tender. The introduction of the multi-currency system¹¹ in Zimbabwe helped to quash hyperinflation, restore economic stability and increase budgetary discipline, and rebuild monetary credibility (Noko, 2011: 339). The use of the Zimbabwean dollar as an official currency was effectively abandoned in 2009. This development was part of "the Short Term Emergency Recovery Programme introduced in 2009 aimed to stabilise the economy, and it laid the foundation for a more transformative short and long-term economic recovery" (Solidarity Peace Trust, 2010:4). Consequently, the Reserve Bank of Zimbabwe legalized the use of foreign currencies for transactions in January 2009. Foreign currencies such as the South African Rand, Botswana Pula, Pound Sterling and the United States Dollar are used as legal tenders (Durden, 2011:1). At an economic level the GPA brought some respite to the country. The multi-currency system has also managed to remove price distortions in both foreign exchange and goods markets; it has established business confidence and it has also ensured monetary strength and credibility.

Nevertheless, while the introduction of the multi-currency regime has managed to stabilise the hyperinflation in Zimbabwe, the country faces a number of problems due to the new foreign currency system. According to International Monetary Fund (2010:1), "the multicurrency system

¹¹ This process refers to the situation where currencies such as the US dollar, the South African Rand, the Mozambique Pula and the Zimbabwean Dollar are allowed and admissible as legal tender for official, private and business transaction in Zimbabwe. This policy came into being following the hyper-inflation that swallowed the Zimbabwean dollars in year 2000 and its intended aim is to help rebuild the economy and put it back on track

poses a number of challenges for example, prices and wages are usually agreed and quoted in U.S. dollars, while South Africa is Zimbabwe's main trading partner and country of origin of capital inflows." Movements in the U.S. dollar or rand exchange rate have considerable effects on Zimbabwe's competitiveness and international investment position. There are shortages of small-denomination U.S. dollar banknotes and coins which pose problems for Zimbabweans especially retailers and the general public. Due to lack of coins people are given food stuffs in place of change when they buy goods. In this respect, Noko (2011: 352) affirms that "the retail sector is often unable to give customer's change, forcing customers to purchase additional goods, normally sweets, biscuits, and to take a credit note for future purchases". It is widely believed that "these additional goods used as change are overpriced so they more easily match the sums usually called upon as change" (Noko, 2011: 352). Furthermore the circulation of money is very limited and some US dollar notes and South African rand notes are extremely worn out due to being overused and consumers are forced to find their own ways of getting the currency.

Noko (2011: 352) further states that, "Zimbabwe suffers from a lack of financial integration with the global economy, which would help solve the problem of credit shortages by allowing foreign banks to loan to Zimbabwean companies, without the necessity of balancing their loans and deposits". Without foreign competition in Zimbabwe, people cannot move their funds in and out of the country, access foreign credit, or choose from a broader range of currencies. Furthermore Zimbabwe did not officially enter into any formal agreement to dollarize with the United States. Noko (2011: 352) adds that "a domestic and global credit crisis and distrust of President Robert Mugabe have limited the amount of trade conducted between the United States and Zimbabwe." This has limited the flow of goods and dollars between the United States and Zimbabwe. The situation has also resulted in significant price differences between the United States and Zimbabwe. It therefore suffices to say that although the introduction of a multi-currency system managed to stabilise the Zimbabwean economy there are still major challenges with this move as we can infer from the above discussions.

3.2.3. The indicators signifying the severity of the Zimbabwean crisis

Pointing out some of the economic indicators, Mlambo and Raftopoulos (2010) report that by 2007, per capita GDP was estimated at US\$200, compared to US\$900, while over 80% of the Zimbabwean population was reported in 2005 to be living on less than US\$2 a day. The

country's export plummeted from 33.7% of GDP in 1997 to 9.9% of the GDP in 2007. These alarming statistics caused the World Bank's remark that Zimbabwe had "the world's fastest shrinking economy for a country not at war" (cited in Mlambo & Raftopoulos, 2010: 3).

For Zimbabweans, the crisis had serious economic consequences. The country's once-celebrated social service sector collapsed. Health and education sectors in particular faced chronic and severe under-funding leading to a brain drain as many professionals went abroad in search of better prospects. As a result, the humanitarian crisis in Zimbabwe accelerated. As Mlambo and Raftopoulos (2010: 4) reveal the average life expectancy rate which was 63 years in 1990, dropped to 40.9 years in 2005, and child mortality rates increased from 76 to 132 deaths per 1000 between 1990 and 2005. Compounding the humanitarian crisis was an HIV/AIDS pandemic. By 2007, HIV prevalence in Zimbabwe was 15.6% among adults aged 15-49. In 2006, it pegged at 26% among pregnant women. By 2007, the average death rate from the pandemic was 3200 people per week; as a result, Zimbabwe was chronicled as the fourth highest HIV/AIDS prevalent country in the world that year¹².

Another event that revealed the government's inability to provide health services was the cholera epidemic of 2008. The epidemic which claimed "thousands of lives was the ultimate incontrovertible indicator of the total collapse of the Zimbabwean health sector and evidence that the system's governance, economic, political and social structures had deteriorated to the extent of not being able to provide even basic clean drinking water to its citizens!" (Mlambo & Raftopoulos, 2010: 4). UNICEF's description of the situation is telling.

Schools and hospitals are closing, patients cannot access health care, teachers, nurses and doctors are not able to come to work. Urban water supplies are erratic, or not available at all due to weakened infrastructure, power outages and shortage of chemical. The net effect on Zimbabwean children has been no schooling, lack of health care, no safe drinking water, reduced number of meals and increased morbidity and mortality¹³ (cited in Mlambo & Raftopoulos, 2010: 4).

Moreover, the often violent and controversial land reform had a devastating effect on the mainstay of the country's economy, agriculture. For instance, the annual wheat production which

¹² This data was sourced from Reuters, "Factbox – Zimbabwe's meltdown in figures" 2 December, 2008, at <http://www.reuters.com>.

¹³ UNICEF, *Immediate Needs of Children and Women Affected by the Cholera Outbreak and Collapse of the Health and Education Systems*, (UNICEF Zimbabwe, December 2008).

was above 300, 000 tons in 2001 drastically declined to less than 50, 000 in 2007 (Coltart, 2008: 3). Combined with seasonal drought, the country's food shortage became alarming. McClelland (2006: 1) reports that Zimbabweans "survive only on large donations of food aid, and 40 percent of the population ... suffers from some kind of undernourishment".

3.2.4. The political aspect of the crisis

The deepening governance and human rights crisis which marked Zimbabwe's political landscape during the past decade or more followed the logic of a regime that has persistently blamed Zimbabwean woes on both external factors and droughts. Dissenting voices are unwelcome within the country. Arguably, the first demonstration of the State's violent reaction against any opposition is the *Gukurahundi* massacres of the early 1980s¹⁴ (Mlambo & Raftopoulos 2010: 5). It was estimated that 20, 000 people were killed by the government forces. By 2000, politically oriented violence had affected the rest of the country where widespread and indiscriminate harassment and battering of the political opposition progressively increased over the years and reached its peak in the run up to the March and June elections of 2008. Increasingly then, the state underwent systematic militarization (Raftopoulos & Mlambo, 2008) culminating in excessive abuse of individual human rights, subversion of the judiciary, the total disregard of the rule of law (Mlambo & Raftopoulos, 2010: 5). Another development showcasing the abuse of human rights was the callous destruction of urban shelters during the controversial Operation *Murambatsvina*¹⁵ that had scores of hundreds of thousands left homeless with livelihoods ruined (Vambe, 2008). These events were the outcome of ZANU-PF's determination to suppress opposition to the government.

In particular, the emergence of the Movement for Democratic Change (MDC) in September 1999 under the erstwhile leader of the Zimbabwe Congress of Trade Unions (ZCTU) was perceived by the incumbent regime as a major threat. The formation of the MDC revealed the merging forces of the opposition party, bringing together workers, students, teachers, urban and rural professionals, business people, and commercial farmers. What united these different groups was a general concern about the poor state of the economy, unemployment, and the government's

¹⁴ The massacre was orchestrated by the North Korean trained Zimbabwe's 5th Brigade army against the pro-African National Union (ZANU) [as opposed to Mugabe-led ruling party of African People's Union (ZAPU)] party led by Joshua Nkomo, an Ndebele nationalist; hence, the target of the Ndebeles during the crisis. ZANU-PF was born out of the conciliatory efforts between these two rival parties after the crisis.

¹⁵ The programme is roughly translated as "clean out the filth" (Coltart, 2005: 5)

mismanagement of the economy which was collapsing drastically (Dashwood, 2001). This is evident in MDC campaigns in the run-up to the 2000 elections during which the opposition cite the costly intervention in the DRC as a prime example of the incumbent regime's ill-governance (Dashwood, 2001: 94). As the opposition's campaign gained weight, the government reacted not just with farm invasions (at least partially masterminded to cut short the white community's support of the new party) but also by killing opposition members. Thus, prior to the June 2000 elections, there were at least 30 of politically motivated killings of members of the MDC (Dashwood, 2001: 94). Bond and Manyanya report that before the June 2000 parliamentary elections, more than three dozen murders were amongst 5 000 recorded incidents of state sanctioned intimidation (Bond & Manyanya, 2002: 67).

Yet despite "the awful state of the economy and the political situation, Mugabe's ZANU-PF Party won the 2005 elections comfortably with 78 seats to 41 for the ... MDC, representing a loss of 16 seats for the latter" (Obe, 2006:6). Mugabe's two-thirds majority in parliament enabled him to change the constitution at will and, in effect, create a mechanism for keeping himself and his allies in comfortable government seats indefinitely.

Hence, the opposition continued to be the target of a repressive regime. For instance, "a March 2004 report showed that 90 percent of the MDC Member of Parliament (MPs) elected in June 2000 had suffered some human rights violation; 24 percent survived murder attempts and 42 percent had been tortured" and three MDC MPs were allegedly murdered by the state agents (Coltart, 2008: 15).

3.2.4.1. The weakness of the opposition forces

Given the political atmosphere described above, it is not surprising that opposition forces have weakened over the years. As Phimister and Raftopoulos (2007: 579) point out, the opposition forces¹⁶ in Zimbabwe have been seriously weakened by three factors: the rift within the MDC, and the lack of support within the SADC region, and the level of state repression which continued unabated. Some of the measures include a three month ban on demonstrations and opposition gathering in 2007; the detention and brutal abuse of the MDC leaders (Morgan Tsvangirai and Arthur Mutambura, and other party officials) on a charge of inciting public

¹⁶ This comprises civil society and party-party-political forces

violence (Phimister & Raftopoulos, 2007: 575-6). The attack on Tsvangirai was so severe that his skull was fractured. For the opposition, the consequence of repressive action has been negative. As one MDC member of Parliament observed at the time:

The fact remains that the opposition hasn't been able to mobilise tens of thousands of people which is partly to do with fear, partly to do with divisions in the opposition and partly to do with a shocking lack of information for ordinary people about what is going on (cited in Phimister & Raftopoulos, 2007: 578).

Thus, Mugabe has clearly used fear tactics to undermine opposition to his leadership. But also, the underlying division within the opposition party is inhibiting their chance of winning an election. It is noteworthy that the MDC split into two camps, over whether or not to run in the Senate elections of 2008. One camp was led by Morgan Tsvangirai; the other was led by Arthur Mutambara (a former student leader and scientist). While ethnic difference may have contributed to the rift, Moore (2007) is of the opinion that failure to follow constitutional rules about the participation of all executive committee members in important decisions may have been the most divisive factor. Moore recalls how Tsvangirai over-ruled the vote on whether or not the Senate elections should be entered (Moore, 2007: 52). Moore suggests that the senate issue was merely a symptom of a disease which encompasses issues like "the problem of the parallel structure, the 'mafia kitchen cabinet', the growth of youth violence, attacks on the authority of the President, conflict and competition between the offices of the Presidency and the Secretary General with resulting lack of implementation of party programmes" (Moore, 2007). This internal crisis lingered on, and despite the attempt to mediate between the two factions in mid-2007, a compromise was not reached. With little sympathy from regional bloc (Phimister & Raftopoulos, 2007: 579) due to the opposition's liberal approach to economic issues, the balance of forces within Zimbabwean politics continues to weigh heavily against the opposition.

3.2.4.2. The effect on neighbouring countries

To escape the multifaceted Zimbabwean crisis, many of its citizens fled the country not only to neighbouring countries but as far as Europe. However, evidence shows that it is the neighbouring countries, particularly South Africa and Botswana, to which most Zimbabwean refugees migrated (Mlambo & Raftopoulos 2010: 5). Furthermore, the strain of the Zimbabwean influx into Botswana and South Africa sparked off serious xenophobic reactions (Mlambo & Raftopoulos, 2010: 6). In South Africa for instance, the 2008 attacks on 'foreigners' often

targeted Zimbabweans. For example, an incident took place in De Doorns in the Western Cape in November 2009 which resulted in violent displacement of some 3000 Zimbabweans and the “destruction and looting of their dwellings by their South African neighbours” (Mlambo & Raftopoulos, 2010: 6). Zimbabwe’s political and economic crisis increasingly has moved beyond the borders of the country and became a regional concern. It not only comprises an unprecedented level of migration to neighbouring countries, but also Zimbabwe’s weakness as an economic and trading partner in the SADC region. SADC’s role as a mediator between contending forces in Zimbabwe therefore is explicable and necessary. The chapter now moves on to describe SADC’s origins and the evolution of its institutions, functions and objectives.

3.3. The Southern African Development Community (SADC)

The Southern African Development Community (SADC) as it is now known has its origin in the regional organisation of the Southern African Development Co-ordination Conference (SADCC). SADC was established by the Lusaka Declaration of 1980. Its principal goal was to reduce economic dependence on Apartheid South Africa¹⁷. In 1992¹⁸, a meeting of Southern African heads of states in Windhoek, Namibia signed a treaty establishing the new regional bloc and redefining the foundation of cooperation among member states from a loose association into a legal institution (SADC, 2012)¹⁹, hence the inclusion of the term ‘community’ into its name. However, as Pallotti (2004: 513) argues, the Treaty of Windhoek was much more concerned with the formal definition of the institutions of the new regional organisation than a comprehensive statement of its functions and goals.

3.3.1. Composition of SADC

SADC membership is largely drawn from countries located in Southern Africa, including those of the islands of Indian Ocean. The current membership include: Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe²⁰ (see fig 1 for the Map of the regional bloc). Notable feature of the region is its diversity in terms of

¹⁷With the exception of Mauritius, Cawthra (1997: 207) have argued that “the conflict over apartheid” was among the strong reason that encouraged the emergence of cooperation among southern African states.

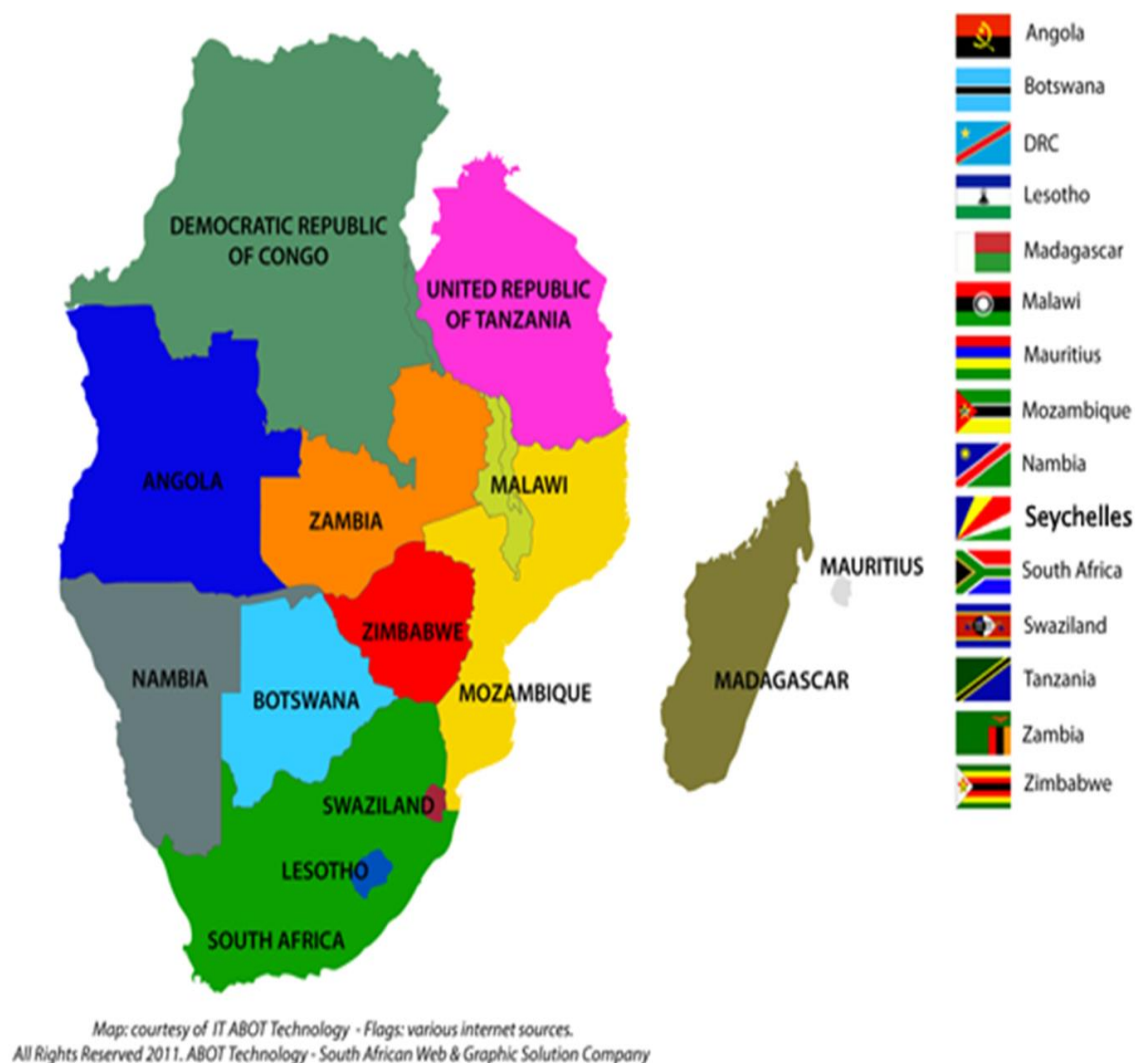
¹⁸ By 1992, the shift from white minority rule to black majority rule was imminent. In 1994, South Africa’s free and fair elections were held.

¹⁹ Much of this section on SADC owe its information to SADC data available from SADC official website: www.sadc.int.

²⁰ List available from <http://www.sadc.int/member-states/>.

economic status, demography, and landscape. It harbours the rich country of South Africa as well as some of the poor countries like Swaziland, Lesotho and Seychelles. There are landlocked countries like Lesotho and Zimbabwe but also island states like Madagascar and Mauritius. Then, there is the vast country of Democratic Republic of Congo (DRC) with its large population by contrast with sparsely populated Namibia. There is also the cultural diversity of the region reflecting distinctive colonial inheritances (British, German, Portuguese, French and Belgian) as well as the distinctive characteristics of indigenous cultures.

Figure 1. Map of SADC



[Source: <http://www.saria.org.za>]

SADC member states undertake to provide sufficient measures to support the achievement of the objectives of SADC, and they commit themselves to refrain from taking any measure that is likely to threaten the sustenance of the principles and the implementation of the provisions of the SADC Treaty (World Bank, 1992: 11). Accordingly, and as emphasized in Article 6 of the Windhoek Treaty, SADC member states are bound not to discriminate against any person on grounds of religion, political views, gender, race, ethnic group, disability or culture. Furthermore, a SADC member is required not to discriminate against any member state; but shall take all essential procedures to ensure a uniform submission of the Windhoek Treaty (World Bank, 1992:11). Member states shall also collaborate with and assist institutions of SADC in the execution of their duties (World Bank, 1992:11).

3.3.2. Transition from SADD to SADC

The transition from being SADD to SADC as noted by Gibb (1998: 302) was, in part, necessitated by the fact that apartheid ended and thus, the principal *raison d'être* and source of unity for the old SADD also came to an end (Cawthra, 1997: 208; Palloti, 2004; Alden, 2010:6). The newly formed SADC immediately aimed to incorporate a fully democratic South Africa into the 'new' regional organisation. For this reason, the new organisation removed from its 1992 treaty the aim of reducing dependence on Pretoria (Gibb, 1998: 302). Gibb argues that the transition was informed by the interplay of circumstances that are both regional²¹ and global. At the global level, the transition is a response to "multilateral pressure" to prioritise liberalisation and democratisation of political institutions; hence, forcing the old organisation to abandon its "largely discredited approach to integration known as 'project co-ordination'" (Gibb, 1998: 304). Given this conjuncture of circumstances, the SADC Declaration and Treaty joined the global voice to emphasize commitment to human rights, democracy and the rule of law alongside the organisation's objectives of economic integration and the promotion of peace and security (Cawthra, 1997, 208-209).

With these interrelated objectives in mind, a call was made to establish "a framework and mechanisms to strengthen regional solidarity, and provide for mutual peace and security". Consequently, in 1993, SADC's Framework and Strategy for Building the Community was adopted. Incorporating a new approach to security, the framework reflects the integrated, multi-

²¹ As outlined earlier in the chapter.

faceted approach to security that emphasizes the non-military dimensions of security, including linking democratisation and development to security, and a call for the reduction in military expenditure, and the adoption of non-offensive defence doctrines (Cawthra, 1997: 209). This is in contrast to the security architecture of the old Front Line States (FLS)²² approach which places security issues in the hands of heads of state and military liaison of member states.

In June 1996, the SADC Heads of State Summit endorsed the establishment of the SADC Organ on Politics, Security and Defence. With a rather ambitious mandate that includes preventive diplomacy, conflict mediation, development of a protocol to cover, *inter alia*, “punitive measures” to resolve conflicts and the development of democratic institutions and practices within member states, the organ was set to provide collective security for member states (Cawthra, 1997: 209-210). At the start, the Organ was chaired by President Robert Mugabe of Zimbabwe. Together with the Inter-State Defence and Security Committee (ISDSC)²³ the Organ functions to provide collective security²⁴ for the regional bloc. However, given the unequal status of member states, it has been argued that South Africa’s hegemonic status in the region is unchallenged. The country’s military and economic superiority within the region is overwhelming, hence giving it a leading role in the Organ’s capacity to provide joint peace-keeping operations or collective security (Cawthra, 1997: 215)

3.3.3. The basic objectives of SADC

SADC set for itself, the overarching goal of achieving economic growth and development, peace and security for all member states through regional integration that is built on democratic

²²The organisation of Front Line States (FLS) was formed in 1970 specifically to assist the struggle for the liberation of the white-ruled countries of Southern Africa. In its initial stage, the group comprised Zambia, Tanzania, Botswana, Mozambique, Angola, Zimbabwe and later Namibia after its independence. Their operation was essentially informal. Within the FLS was “a military coordinating structure which later metamorphosed into the organisation now known as Inter-State Defence and Security Committee (ISDSC)” (Hammerstad, 2005:79).

²³The Inter-State Defence and Security Committee is structured with a plethora of committees and sub-committees. It has no permanent secretariat but enjoys the support of the country chairing the ISDSC which is annually rotated. Its Ministerial Committee involves ministers responsible for defence, home affairs, policing and intelligence. The three principal subcommittees of the organ includes: Defence, Public Security (policing) and State Security (intelligence)

²⁴Common security usually refers to a holistic approach to security in which social, economic and cultural agreements are linked with defence arrangements (see Cawthra, 1997: 211). Cawthra distinguishes it from collective defence that entails a state in which nations ally with each other and put in place arrangements for joint defence against external threat. This form of organisation, he argues, is generally lacking in Southern African bloc for the reason that a common military doctrine, joint training, harmonised foreign policy, some harmonization of equipment and formula for sharing command and control required for the effectiveness of such arrangement is yet to emerge in the region.

principles, and equitable and sustainable development (SADC, 2012²⁵). The objectives of SADC are given clear articulation in the SADC Treaty of 1992, Article 5. As simplified in the Regional Indicative Strategic Development Plan of SADC, they contain the following elements:

- to achieve development and economic growth, alleviate poverty, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through regional integration;
- evolve common political values, systems and institutions;
- promote and defend peace and security;
- promote self-sustaining development on the basis of collective self-reliance, and the interdependence of member states;
- achieve complementarity between national and regional strategies and programmes;
- promote and maximise productive employment and utilisation of resources of the region;
- achieve sustainable utilisation of natural resources and effective protection of the environment;
- strengthen and consolidate the long standing historical, social and cultural affinities and links among the people of the Region (RISDP, 2008:21).

In order to accomplish these objectives the SADC Member states shall:

- harmonise political and socio-economic policies and plans of Member States;
- encourage the people of the Region and their institutions to take initiatives to develop economic, social and cultural ties across the Region, and to participate fully in the implementation of the programmes and projects of SADC;
- create appropriate institutions and mechanisms for the mobilisation of requisite resources for the implementation of programmes and operations of SADC and its Institutions;
- develop policies aimed at the progressive elimination of obstacles to the free movement of capital and labour, goods and services, and of the people of the Region generally, among Member States;
- promote the development of human resources;
- promote the development, transfer and mastery of technology;
- improve economic management and performance through regional co-operation;
- promote the coordination and harmonisation of the international relations of Member States;
- secure international understanding, co-operation and support, and mobilise the inflow of public and private resources into the Region;
- develop such other activities as Member States may decide in furtherance of the objectives of this Treaty (RISDP, 2008:21).

²⁵<http://www.sadc.int/about-sadc/overview/sadc-objectiv/>

With the new role the regional bloc acquired at its transition from SADCC to SADC, the organisation has experienced transformation of institutions to align itself with its new mandate. The latest institutional transformation was endorsed at an Extra Ordinary Summit of the Heads of State and Government held on the 9th of March 2001 in Windhoek, Namibia. Under this reformation, the organisation now has 8 principal institutions and organs. They are: Summit of Heads of States or Government, Summit Troika of the Organ, SADC Tribunal, SADC Council of Ministers, Sectorial and Cluster Ministerial Committees, Standing Committee of Senior Officials, SADC Secretariat, SADC National Committees, and SADC Parliamentary Forum (SADC, 2014)²⁶. Below is an organogram showing the different institutions making up SADC.

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graph TD; Summit[SUMMIT] -.-> CM[Council of Ministers]; CM -.-> SCO[Standing Committee of Officials]; SCO -.-> SS[SADC Secretariat]; SS -.-> SNC[SADC National Committees]; SNC -.-> SC[Sub-Committees]; IT[Integrated Committee of Ministers] --> CM; ST[SADC Tribunal] -.-> Summit; ST -.-> CM; ST -.-> SCO; ST -.-> CM_Troika([SADC Troika]); CM_Troika -.-> Summit; CM_Troika -.-> CM; CM_Troika -.-> SCO; CM_Troika -.-> OPDS[Organ on Politics, Defence and Security]; OPDS -.-> CM_Troika
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The diagram illustrates the organizational structure of the SADC. At the top is the **SUMMIT**. Below it is the **Council of Ministers**, which is connected to the Summit by a solid arrow pointing up. The Council of Ministers is connected to the **Standing Committee of Officials** by a solid arrow pointing up. The Standing Committee of Officials is connected to the **SADC Secretariat** by a solid arrow pointing up. The SADC Secretariat is connected to the **SADC National Committees** by a solid arrow pointing up. The SADC National Committees are connected to the **Sub-Committees** by a solid arrow pointing up. To the left of the Council of Ministers is the **Integrated Committee of Ministers**, connected to the Council of Ministers by a solid arrow pointing right. To the right of the Council of Ministers is the **Organ on Politics, Defence and Security**, connected to the Council of Ministers by a solid arrow pointing left. To the right of the Summit is the **SADC Troika**, connected to the Summit by a solid arrow pointing left. The SADC Troika is also connected to the Council of Ministers, the Standing Committee of Officials, and the Integrated Committee of Ministers by solid arrows pointing right. The SADC Troika is also connected to the Organ on Politics, Defence and Security by a solid arrow pointing left.

The arrows and lines in the diagram indicate the ways in which information flows in the organisation. The section below gives an overview of some of the key institutions of the regional bloc: the Summit, the Tribunal, the Secretariat and the Troika Organ.

4.3.5.1 The SADC Summits

As contained in the information showing in the official website of SADC, the SADC Summit (comprising all SADC Heads of State or Government) is responsible for providing policy direction and control of functions of the community. As such, it is the highest policy-making institution of SADC. It holds its meetings annually, in August and September, and in a member state at which a Chairperson and Deputy are elected. Using the Troika system²⁷, the Summit has the leadership of the Chairperson (currently, the President of Malawi), the incoming chairperson (who also enjoys the post of Deputy Chairperson, currently President Robert Mugabe of Zimbabwe) and the previous Chairperson. The Summit vests authority in this group to take quick decisions on behalf of member states at policy meetings scheduled at regular intervals that occur in between SADC Summits.

4.3.5.5. The Secretariat

The structure of SADC also includes the Secretariat which is the principal executive institution of SADC accountable for strategic planning, co-ordination and management of SADC programmes (ISS, 2003:2). The Secretariat is responsible for the execution of decisions of the Summit and of the Council. Located at Gaborone, Botswana, the Secretariat is also responsible for supervising financial and general administrative work and it coordinates the policies and strategies of member states. It is headed by the Executive Secretary who is currently Dr. Stergomena Lawrence Tax (World Bank, 2014:13). The Executive Secretary is responsible to the Council for consulting and coordinating with the governments and other institutions of member states. The Executive Secretary is also responsible for “liaising closely with Commissions, and other institutions, guide, support and monitor the performance of SADC in the various sectors to ensure conformity and harmony with agreed policies, strategies, programmes and projects” (World Bank, 2014:13). The Executive Secretary is appointed for four years, and he or she is eligible for re-appointment for additional period of not more than four years. The other executive

²⁷ It was established at Maputo Summit in August 1999. The Troika System also operates at the level of the Organ on Politics, Defence and Security, the Council of Ministers and the Standing Committee of Senior Officials.

heads are the Deputy Executive Secretary (Regional Integration), currently Dr. Thembinkosi Mhlongo and Deputy Executive Secretary (Finance and Administration), presently Ms Emilie Ayaza Mushobekwa.

4.3.5.8. SADC Tribunal

The Tribunal was established by the Protocol on the Tribunal signed in Windhoek, Namibia during the 2000 Ordinary Summit but was officially established on 18 of August 2005 in Gaborone, Botswana. Consisting of appointed judges from member states, the Tribunal has its seat in Windhoek, Namibia. Its mandate includes ensuring adherence to, and proper interpretation of the provisions of, the SADC Treaty. It also adjudicates upon disputes between members. The Tribunal suffered set back in 2010 when it was *de facto* suspended by the Summit for its several judgements ruling against the Zimbabwean government. However, at the Maputo Summit of 2012, it was reinstated with a mandate now confined to “interpretation of the SADC Treaty and Protocols relating to disputes between member states” (SADC, 2012).

4.3.5.9. SADC Troika Institution

The last SADC institution to be considered is the Troika Institution. It is the Organ on Defence, Politics and Security which is responsible for promoting peace and security in the region. According to the Institute of Security Studies (ISS, 2003:2) “the Organ on Defence, Politics and Security reports to the SADC Summit and is headed by a Troika, consisting of a Chairperson, Incoming Chairperson and Outgoing Chairperson.” The Organ on Defence and the SADC Summit are mutually exclusive. Ministers responsible for Defence, Domestic Security, Foreign Affairs and State Security from each of the member states report to the Chairperson and is in charge of co-ordinating the work of the Organ and its structures (ISS, 2003:2). Ministers of Foreign Affairs of each member state perform the functions of the Organ concerning diplomacy and politics within the Diplomacy Committee and Inter-state Politics. Ministers for Defence, Domestic Security and State Security work through the Inter-state Defence and Security Committee (ISS, 2003:2).

The Organ is mandated to offer member states direction with regard to matters that threaten peace, security and stability in the region. It is coordinated at the level of Summit which is made up of a Chairperson, Incoming Chairperson and Outgoing Chairperson, and reports to the SADC Summit Chairperson. The Organ and the Summit are mutually exclusive as the Chairperson of

the former does not hold the Chair of Summit simultaneously. Also, the structure, operations and functions of the Organ are regulated by the Protocol on Politics, Defence and Security Operation. But like the Summit, the Organ chair also rotates on annual basis among members. Attention will now be paid to the particular security architecture of the regional bloc.

3.4. SADC's Security Architecture

Given the multi-task complexity of UN peace-keeping operations which expanded exponentially from the 1990s onwards, there has been increasing pressure from the Western powers on Third World countries, particularly those in Africa, to undertake their 'own' peace-keeping especially where quick solutions are unlikely (Cawthra, 1997: 211). This call for regional security organisations is logical from both cost and benefits analysis for the regions concerned. With such arrangement, the regions would be able to deal with their own internal issues on their own terms but in line with international legal framework as enshrined in UN Charter. Hence, SADC's security arrangement since its formation (initially as SADCC) is to be understood in this context.

The first precursor of security structure in the Southern African regionalism was the Front Line States (FLS). Formed in 1975, its main concern was the need "to counter apartheid destabilisation and promote decolonisation in the Southern African region" (Van Nieuwkerk, 2001: 11). But having achieved that aim with South Africa's democratisation in 1994, and Namibia's independence, the new regional bloc (now SADC) had to reorient its security framework. Nevertheless, within the new SADC, peace and security remain vital goals for the regional bloc. This is evident in SADC's objectives as set out in the 1992 Treaty which includes the clause to "promote and defend peace and security". In this light, Van Nieuwkerk (2001: 11) has argued that while economic considerations informed the creation and maintenance of SADC, peace and security concerns were evident throughout the colonial and post-colonial period in Southern Africa.

Thus, post-1992 Treaty has seen various attempts to create and consolidate security structures within the region. The first was the Organ on Politics, Defence and Security which was proposed in 1996. The political disputes that characterised the evolution of the Organ tell of the nature of differences that exist between member states. Prior to the proposal of the Organ, the Secretariat was at the forefront attempting to imbue a democratic and anti-militarist character to SADC's security policy (Nathan, 2006: 608). Consequently, its orientation materialised in SADC's 1993

Framework and Strategy which called for “the creation of a ‘non-militaristic security order’ based on democratic norms, the adoption of non-offensive defence doctrines, and reductions in military force levels and spending”; and also gave voice to underdevelopment and abuse of human rights as fundamental aspects of security issues (cited in Nathan, 2006: 608). Subsequently, at a workshop organised by the Secretariat in 1994 which included non-state actors in the negotiation process, an establishment of an independent human rights commission together with a SADC Sector on Conflict Resolution and Political Co-operation was proposed. This development was strongly opposed by the FLS coalition which immediately proposed the Association of Southern African State (ASAS) to serve independently of the Secretariat. In the wake of the heated debate that this generated, Nathan (2006: 609) notes, parliamentarians and non-state actors were excluded from subsequent workshops and discussions on regional security.

This explains why, at the premature launch of the Organ, the official communiqué stated that the Organ would operate at the Summit, ministerial and technical levels but independently of other SADC structures and that ISDSC – belonging to the old FLS – would be retained as its substructure. By the same token, Mugabe was appointed the first Chair of the Organ; and although the chair was said to be rotating annually, this was not to be so for the next three years. This early debate reveals the polarity of visions for the Organ among member states. The South African camp (including Botswana, Mozambique, and Tanzania) intended the Organ to be structured in a way that allows cooperation and peacemaking at a more political rather than military level (Nathan, 2006: 610). The rival to this group was led by Zimbabwe (and included Angola and Namibia). As Nathan also notes, this latter group preferred a mutual defence pact, and prioritised military cooperation and response to conflict.

The conflict was formally resolved at an extraordinary Summit meeting of SADC Heads of State in 2001 where the Organ Protocol was finally adopted. The compromise reached was that the Organ would become an integral part of SADC and be accountable to the Summit. The success of this move lies in the fact that the initiative was aimed at remedying the challenges FLS faced with regard to coordination and the institutional weakness. FLS and its security substructure called Inter-State Defence and Security Committee (ISDSC) was informal rather than institutional (Van Nieuwkerk, 2001: 13). Principally, the Organ Protocol on Politics, Defence and Security Co-operation was mandated to regulate the structure, operations and function of the

Organ which include prevention and resolution of inter- and intra-state conflict (Nathan, 2006: 605). Subsequently, in 2003, the Summit approved the Strategic Indicative Plan for the Organ and the SADC Mutual Defence Pact. The latter was mandated to deal with issues of defence co-operation and with collective action in response to an armed attack (Nathan, 2006: 610).

The Organ Protocol, amongst other things, affirms the role of the UN and AU in the maintenance of international peace and security, but articulates that the Organ remains the policy tool in respect of peace and security, and hence constitutes an institutional framework for peace and security for the region (Goitsemodimo & Maleban, 2012: 50). Emphasising the peace-making role of the Organ – including negotiation, conciliation and mediation – the Protocol regards enforcement action as a matter of last resort. Also by adopting the Troika system for its leadership and a consensual decision-making process for its operation, the Protocol dealt with the institutional weakness associated with the old security arrangement (Van Nieuwkerk, 2001: 14; Nathan, 2006; Hwang, 2005).

Given that FLS's ISDSC structure got retained within the organ, it has been argued that SADC security structure remains largely under the influence of state, leaving little room for non-state actors (Van Nieuwkerk, 2001: 14). With respect to this feature, the security structure continues to emphasise the principle of non-interference which demonstrates the unwillingness of member states to surrender their tenuous hold on sovereignty. As Nathan (2006: 606) argues, this stems from the political weakness of states that make up the regional bloc and hence orient them in that direction. Also, he alludes to the lack of common values, mutual trust and shared vision of the security regime as contributing factors.

Hammerstad argues that “the [consensual] decision-making structure of SADC Organ has, in practice, no enforcement mandate and can only be... involved in the internal affairs of a member state if invited by it to do so” (cited in Hwang, 2005: 198). As will be shown in the next chapter, this arrangement certainly has implications for SADC's capacity to deal with contemporary issues of security which are more likely to be internal issues of governance rather than inter-state tensions. To re-emphasize, this is also another form in which the Organ commits member states to the norm or principle of ‘non-interference’ which forbids members to interfere in each other's internal affairs.

Another structural challenge is the fact that the Organ operates without a dedicated administrative infrastructure. Instead, a secretariat is annually provided by the incumbent chairperson of the Organ (Van Nieuwkerk, 2001: 8). Added to this is the problem of funding for the efficient running of the Organ. Hwang (2005: 198) points out that the Organ depends on international donor community for 80% of its resources. Already, history has shown how dependence on international donors can affect the smooth running of the Organ's activities. For example, there was a case in which SADC's Regional Peacekeeping Training Centre located in Harare was closed down because Denmark, (which was the principal funder) decided to withdraw all funds as a display of Denmark's displeasure with developments in Zimbabwe (Isaksen, 2002: 30). This trend of dependence on external funding within the security architecture of SADC arises from the fact that the region is characterised by small economies (Nathan, 2006: 606) which reduces the chance of raising adequate funds for the organ from within the regional bloc.

Furthermore, concern has been raised about the trend of events with regard to the polarized vision of the organ's member states. In particular, it is argued that SADC approach to security under the Mutual Defence pact has largely been state-centric in nature which informs its emphasis on state security, and sovereignty. In this form, the people of the region, supposedly the primary referents of security as referred to in Article 23 of the SADC Treaty (see SADC, 1992, Hwang, 2005: 203) are given less consideration. This is against the orientation of SADC's initial 'new security' approach that "de-emphasised military-political security and any form of violence as a solution to conflicts towards a more traditional approach in which state security, military-political issues and external (military) threats are given priority" (Hwang, 2003: 203).

3.5. Conclusion

In a nutshell this chapter has outlined some key features Zimbabwean crisis, as well as the structure of SADC and its security architecture. The idea behind this approach is to provide a background for an evaluation of SADC's role in the Zimbabwean crisis. Importantly, the section on SADC reveals the major shift in the orientation of the bloc from preoccupation with defeating apartheid to an emphasis on achieving development and economic growth for the region through integration. The section also highlighted the following points: firstly, the dominant position within SADC of President Mugabe; secondly, and in specific relation to SADC's security

apparatus, the increasing state centric approach which largely excludes non-state organizations; thirdly, a polarity of vision between 2 camps within SADC which resulted in a comprise. This comprise has been cited as cause of SADC's state-centric orientation, and hence the domination of various Heads of state, not least President Mugabe.

With regard to the first objective of the chapter, that is, outlining the development of the Zimbabwean crisis, it was emphasised that the crisis must be understood as a multifarious and inter-related multi-layered and pervasive disaster. The complexity is exhibited both in the causes and the manifestations of the crisis; and in many ways, the relationship between factors are intricate. A good example is the case of the Zimbabwean hyperinflation. Analysis shows how it is both a cause and also a manifestation of the larger problems within the Zimbabwean national economy. In particular, some government calculations led to a situation in which government spending overburdens the national economy, compounded by imbalance in the relationship between Aggregate Supply (AS) and Aggregate Demand (AD). Hence, real prices skyrocketed leaving the country in the second worst hyperinflation scenario the world ever witnessed.²⁸

Complexity is also evident in the regime's controversial fast track land reform policy. It had several objectives, one of which was to cut short the support base of the opposition party, and as a means to appeal to voters' sentiments. However, it led to devastating effects on food production within the country. The inter-linkage between this event and the droughts as well as the industrial strikes accompanying the price hikes resulting from food shortages cannot be overlooked. Thus, the crisis cannot be depicted as dependent on one single variable.

In the chapter, the problem of governance also was highlighted as an aspect of the crisis. In particular, it was shown how through different moves on the part of the Mugabe led regime, due process was undermined, and the leadership became increasingly repressive in attempt to crush opposition. In such a tense and volatile political climate, the ability of opposition (also beset by internal division) to win national elections and implement substantive change is problematic.

The next chapter explores SADC's role in crisis resolution in Zimbabwe, using transformative mediation theory as an analytical framework.

²⁸According to Bryan Taylor (2008:2) "in 1946 Hungary topped the worst hyperinflation country in the world as the Inflation rate reached a staggering figure of 13.6 quadrillion % per month." He further argues that the largest denomination bill was a 100 Quintillion note and prices ended up doubling every 15 hours at the time.

CHAPTER FOUR

ANALYSING THE ROLE OF SADC IN THE POLITICAL AND ECONOMIC CRISIS IN ZIMBABWE: AN APPLICATION OF TRANSFORMATIVE MEDIATION THEORY

4.1 Introduction

As noted above in the literature review, most scholars have paid insufficient attention to ways in which SADC mediation between Zimbabwe's ruling party and opposition forces could have been – and could still be – more effective and longer-lasting. Against this backdrop, the chapter adopts and recommends the use of transformative mediation theory which offers a constructive mediation approach to transforming the Zimbabwean crisis into sustainable peace and stability. The chapter brings out the main objective of this thesis which is to critically analyse the role of SADC in the political and economic crisis in Zimbabwe. To facilitate this objective, the chapter examines the mediation process used by SADC under the leadership of Thabo Mbeki, who used the policy of "Quiet Diplomacy" as his main strategy. This chapter unpacks and elucidates the policy of quiet diplomacy as a form of problem solving mediation, given that it shares a number of characteristics with the latter. The chapter discusses and compares the mediation stances taken by Mbeki and his successor, President Jacob Zuma in trying to resolve the crisis in Zimbabwe. The chapter also argues that the crisis did not end with the (procedurally flawed) national election of July 2013. On the contrary, the crisis in Zimbabwe is still evident in a number of significant ways. Hence, the chapter concludes by contending that the Transformative Mediation model remains relevant as a constructive and viable alternative to the Problem Solving model adopted by SADC in the form of 'quiet diplomacy'.

4.2. SADC and the mediation process: a preliminary assessment

As highlighted by the various definitions of mediation in chapter two, important elements of mediation are as follows: firstly, the existence of conflict; secondly, mediation is a voluntary process; thirdly, the neutrality of a mediator; fourthly, the need to reach some form of an agreement or settlement. However, perceptions of a mediator vary between scholars. Agbu (2006) sees a mediator as a professional dispute solver, while Moore (1996) defines a mediator as one who is acceptable to those in conflict. Kochan and Jick (1978:5) describe a mediator as a neutral party, while Liebmann (2000:11) describes a mediator as impartial. Hence, a mediator is

supposed to be acceptable, neutral and impartial to those in dispute in the hope of a fair settlement. In this light, let us briefly examine the picture of a mediator presented by SADC during its intervention in the Zimbabwean crisis.

SADC's impartiality as mediator in the Zimbabwean crisis is questionable given that some of its member states seem to be loyal to Mugabe. As Hammerstad points out, (2005:80) Mugabe's role as one of the founding leaders of SADC especially for its Organ on Politics, Defence and Security makes it difficult for the organisation to challenge his decisions. Hammerstad further notes that SADC chooses to be loyal to Mugabe without protecting the human rights of its citizens (2005: 79-80). SADC's security structure consists of "the Protocol on Politics, Defence and Security, a Mutual Defence Pact²⁹, and an Organ on Politics, Defence and Security whose role is to effectively implement the objectives of the Protocol and the Mutual Defence Pact, as well as to take mutual decisions on security issues arising in the SADC region" (Hammerstad, 2005:79). These objectives and institutions give the impression that SADC security architecture is both effective and strong but in reality it is very weak. For Hammerstad, the security structures are indeed necessary because they are "steps towards deeper economic and political integration, but they however remain empty structures waiting to be filled with execution of policies and objectives" (Hammerstad, 2005:81).

Hammerstad further points out that "there was no clarity on how the security organ's chairman, who was President Robert Mugabe at that time, would fit into the SADC leadership structure." At its inception in 1996, the Security Organ did not have a legal mechanism to set out its goals and tasks and to define the scope of its powers. As a result, there was a power struggle, and the Security Organ became a "divisive rather than a united organ, especially between former president of South Africa, Nelson Mandela and President Robert Mugabe of Zimbabwe" (Hammerstad, 2005:79). The two leaders clashed. Both wanted political dominance in the region. However, this political and personal clash between the two leaders was "solved at the SADC Summit in Blantyre, in August 2001, when SADC Heads of State signed the Protocol on Politics, Defence and Security Co-operation and reached an agreement on several central issues concerning the security organ's leadership structure and its relationship with the SADC Summit"

²⁹ According to Van Nieuwkerk (2003) 'Mutual defense pacts are meant to regulate relations between states in the area of collective self-defense.'

(Hammerstad, 2005:79). It is noteworthy that a solution was implemented at a time when Mbeki had replaced Mandela as South Africa's President.

Another element common to most literature on mediation is a mediator is supposed to be acceptable to parties in conflict. There is no doubt that Mbeki was considerably more acceptable to Mugabe than his predecessor. There remains, however, the question of the opposition. As noted by Gatsheni (2011) and Heine (2009), MDC-T expressed their dissatisfaction with Mbeki as an ally of Mugabe, arguing that SADC's mediation efforts under Mbeki focused on Mugabe and MDC-T seemed to be the least of Mbeki's worries. Hence, in the perception of MDC-T, Mbeki was not the right person to mediate in the Zimbabwean crisis. The point raised by Gatsheni and Heine respectively is elaborated by the International Crisis Group (ICG) report of 2008, which says SADC should have realised that Mbeki was too close to Mugabe to be sufficiently objective in his mediation approach. It also can be argued that SADC was not the appropriate candidate for such a mediation process. According to a more recent ICG report (2012:3), "despite comprehensive protocols and agreements, SADC faces severe challenges characterised by tensions between member states, citizens' exclusion, social discontent, lack of resources and limited external and internal coordination." The report further states that, regional security cooperation within SADC requires efficient structures supported by political commitment; however SADC's Secretariat structure seems too ineffective to ensure policy execution (2012:3).

Highlighting the lack of consensus in SADC's member states, Palloti contends that although SADC's mediation efforts under Mbeki's facilitation aimed at restoring democracy and putting an end to human rights abuses in Zimbabwe, these aims "were critically hindered by the history of political antagonism among Southern African governments, and by SADC's inability to draw a clear distinction between respect for human rights and the promotion of national sovereignty" (2012:19). Bhengu (2010:99) declares that SADC member states were divided on how to deal with the political and economic crisis in Zimbabwe. As a result of their lack of consensus on how best to deal with the crisis, SADC intervention was delayed (Bhengu, 2010). According to the 2008 ICG Group Report (2008:10) there was a growing consensus among a core group of SADC countries, such as Tanzania, Botswana and Zambia, that Mugabe should step down from power.

It is unfortunate that this conviction was not shared by the remaining member of states including South Africa, which was given the task of heading the mediation.

In light of the arguments cited above, it seems reasonable to conclude SADC did not assume the role of a mediator *per se* in the Zimbabwean crisis but was more like a negotiating partner with Mugabe. Hence, Mugabe's attitude was the determinant factor which shaped the outcomes of the compromise, not the mediation process itself. This chapter argues that the nature of mediation carried out by SADC breaks most of the known rules of mediation because it considers the views of one party in conflict and almost ignores the other party. Given that the main architect of SADC's mediation strategy was Thabo Mbeki, the chapter now scrutinises Mbeki's preferred strategy, namely, 'quiet diplomacy'.

4.3. 'Quiet Diplomacy' as a Problem-Solving mediation model

It is important to note that quiet diplomacy is not a problem solving theory *per se* but assumes a number of the key features of a problem-solving model. In other words, although SADC mediation was not tailor-made to the problem solving model, striking similarities can be noted, not least Mbeki's choice to ignore ('keep diplomatically quiet') anything that would hinder the speedy resolution of the crisis. Tellingly, he chose to ignore, or play down, state-orchestrated violence and correspondingly, the abuse of human rights in Zimbabwe.

Burgess and Burgess (see chapter two) assert that problem solving mediators are often highly directive in their attempts to reach a goal; they control not only the process but also the substance of the discussion focusing on areas of consensus and "resolvable" issues, while avoiding areas of disagreement where consensus is less likely. Although all decisions are, in theory, left in the hands of the disputants, problem solving mediators often play a large role in crafting settlement terms and obtaining the parties' agreement (Burgess and Burgess, 1997). This chapter argues that by consciously choosing to ignore violent ethos of Zimbabwean politics, Mbeki was knowingly and intentionally controlling the outcome of the mediation. The chapter further suggests that Mbeki was focussed on an achieving a rapid resolution to the crisis, and to that end, he disallowed any experiential truths or dissenting opinions which would impede his progress. Given his narrow and instrumentalist focus, he achieved the signing of the Global Political Agreement (GPA) in September 2008. The GPA committed its signatories to working together to

create a sustainable and lasting solution to the Zimbabwean crisis. (Mlambo and Raftopolous, 2009:9)

According to Bhengu (2010) Mbeki portrayed quiet diplomacy as a style of negotiating a crisis in foreign countries as opposed to military force or coercion. The principle behind quiet diplomacy is that, “it should be quiet and it should take place away from critical public and media scrutiny” (Graham, 2006:116). The notion of Quiet Diplomacy is said to have three vital principles, firstly “the intervening party will not humiliate or attack in public either or any of the parties to the conflict and there is no moral grandstanding; secondly, punitive measures are taken off the table, and are not an option; and thirdly, talking and dialogue are used to seek an agreement between the warring parties” (Kennan, 2008:4). However, it is argued here that what made quiet diplomacy really ‘quiet’ was Mbeki’s decision not to offend Mugabe. Thus, Mbeki chose not to openly criticise the abuses of human rights. The GPA was signed in an assumedly violence-free void where coercion and intimidation were ignored because they were detrimental to the progress towards a settlement. Like the problem-solving model of mediation, everything which might jeopardise the settlement was ignored. The focus was on what the parties agreed upon. Ignoring what matters most to the crisis only serves to increase the chances of the implementation failure of that particular settlement. Hence, while the GPA achieved some improvements and a measure of political progress (Mlambo and Raftopoulos, 2009); it did not provide a meaningful or long-term solution for a majority of Zimbabweans.

An instructive point is raised by Bhengu (2010), who observes that critics of quiet diplomacy maintain that Mbeki has failed extensively to enforce his own agenda of African Renaissance in regard to the Zimbabwean crisis. For example, ignoring gross human rights violations in Zimbabwe contradicts his notion of a peaceful and inclusive African Renaissance. In specific relation to violence in Zimbabwe, the ICG (2008:8) submit that Mbeki has refused to publicly criticise Mugabe or condemn increasing violence in Zimbabwe, “to wide disbelief, Mbeki denied that Zimbabwe was in the throes of a crisis and urged patience.” In similar vein Murithi and Mawadza state that some observers have argued that Mbeki's mediation strategy could best be defined by a propensity towards denialism. “When Mbeki was accosted by journalists inquiring about the Zimbabwe crisis, he replied to them with a bemused expression and declared: crisis, what crisis?” (Murithi and Mawadza, 2010:298). For them, whether this was a “politician's way

of dispersing the gaggle of journalists, or whether it was an internalized perception of the situation will remain a contested issue.” (2010:299).

Finally, in this section, it also is instructive to note that according to some scholars, Mbeki’s policy of ‘quiet diplomacy’ is more illusory than real. For example, Alden (2003) asserts that the policy of quiet diplomacy is a policy where rationality and truth have no meaning.

4.4. Zuma’s mediation style in the Zimbabwean crisis

In 2009, following his election as President of South Africa, Jacob Zuma replaced Mbeki as primary mediator in the Zimbabwean crisis. Given that SADC's mediation role was allocated primarily to the government of South Africa and not to an individual, Zuma inherited the mantle of mediator by default rather than by design. As noted in the preceding section, Mbeki's era was typified by a soft stance on Zimbabwe and a predisposition to quiet diplomacy. Whether Mbeki's departure from the Zimbabwe mediation exercise marks a definitive end to the era of South Africa's quiet diplomacy towards Zimbabwe is a question addressed in this section. According to Murithi and Mawadza (2010:55) Zuma continued with the series of talks initiated by Mbeki, but also appointed a facilitation team comprised of his old African National Congress (ANC) comrade-in-arms, Mac Maharaj and one of his senior advisors, Lindiwe Zulu, to remain engaged with the situation in Zimbabwe. The facilitation team undertook a series of trips to Zimbabwe to meet with the principals of the political formations. The South African Department of International Relations and Cooperation (DIRCO) played an instrumental role in providing the technical support for the interventions by the presidency and the facilitation team. Murithi and Mawadza add that in 2011, Zuma presented a report which indicated that the region and international community were losing patience with Mugabe who is seen as the stumbling block to the implementation of the GPA and smooth functioning of the Unity Government.

According to the ICG Report (2008:2:6) Jacob Zuma has described the Zimbabwean situation as unacceptable and urged Africa to send a mission to the country. Chinaka (2008:12) argues that, during Zuma’s presidential trip to London, he joined with Gordon Brown in a call for an end to the stalemate: a move that would have been inconceivable coming from Mbeki, who had strongly resisted Western pressure to take a tougher stance. The ICG report (2012:22) affirms that in 2011 SADC held a meeting in Livingstone, and that SADC’s mediator, President Jacob

Zuma, presented a report that accused President Robert Mugabe and his ruling party of holding back reforms. The report however triggered extensive anger within ZANU-PF and Mugabe asserted that his party had the right to formally reject Zuma's mediation should the interference of his country's domestic policy continue. Therefore "the attack exposed the fragility and multiple interpretations of SADC peace and security processes, especially in cases where regional leaders have been criticized" (2012:22).

Commenting on (former) President Mbeki's mediation approach vis-a-vis President Zuma's approach, Tinhu (2013:1) states that, it was within the context of the international criticism and failure of Mbeki's approach that his successor, President Jacob Zuma opted for a tougher stance against President Robert Mugabe. Tinhu (2013:1) argues that, when Zuma took over the presidency, South Africa became one of Zimbabwe's most active critics. Unsurprisingly, this tough stance drew approval from the opposition and human rights groups in Zimbabwe, and the new South African president was deemed a saviour. The international community echoed the view that Zuma was doing a good job to take a tough position in dealing with Mugabe. However, Tinhu also comments that Jacob Zuma's tough stance with regards to the Zimbabwe crisis was based on an awful miscalculation that Mugabe and his party could be pushed around easily. Moreover, "Zuma's approach was interpreted by the ZANU-PF party as an effort to create conditions for a zero sum situation, in which Zuma wanted Mugabe's party to 'lose' in the negotiations process that he was facilitating on Southern African Development Community (SADC)" (Tinhu, 2013:1). Mugabe and ZANU-PF also intentionally ignored diplomatic respect as part of their 'strategy' to undermine Zuma and his mediation team. ZANU PF used state media perspectives and unexpected rhetoric, in such a way that Zuma and his negotiation team were treated in an arrantly patronizing manner (Tinhu, 2013).

Tinhu further observes that, "ZANU-PF has a small unit of hardliners who are skilfully and systematically supported by their party to lash out at foreign dignitaries. One of them is Jonathan Moyo who continued to show unrestricted attack on the South African president." For instance, "in a state owned Sunday Mail newspaper, Moyo labelled Jacob Zuma as erratic. Moyo added that the problem with Zuma is that his disconcerting behaviour has become a huge liability, not only to South Africa, but to the rest of the continent". When Zuma continued to press for electoral and political reforms, Mugabe finally snapped angrily, and he opted to take up a risk of

threatening to pull Zimbabwe out of SADC and it became excruciatingly clear to Zuma the kind of person he was dealing with (Tinh, 2013:2).

President Robert Mugabe's party had already made advances that revealed that it was capable of causing damage to Zuma's effort to be re-elected by providing ideological and (allegedly) monetary support to Julius Malema's Economic Freedom Fighters. Certainly, in September 2011, "the South African National Congress (ANC) Secretary General accused ZANU-PF of influencing the thinking and actions of Malema, and in 2012, Malema admitted that he had acquired his inspiration from Mugabe, and added that South Africa should learn from Zimbabwe when it comes to issues such as Land Reform" (Tinh, 2013:2). Therefore although Jacob Zuma initially had an honest intention to push for reforms in Zimbabwe, he was outmanoeuvred by Mugabe to an extent which threatened his re-election prospects, and accordingly, he withdrew from his tough standpoint when dealing with Mugabe.

Zuma would not willingly jeopardise his re-election bid by fighting a political battle on behalf of the opposition party in Zimbabwe. As Tinh (2013:12) argues, Mugabe and ZANU-PF succeeded in reversing the usual procedure in International relations, in which "the big power dictates and the smaller power complies." Thus stubbornness, rudeness, blackmailing and intimidation, were utilised by the Mugabe regime to effectively outwit their South African counterparts. Put bluntly, Zuma could not match Mugabe's bulldozing political strategy (Tinh, 2013). Whereas Mbeki saw Mugabe as a father figure and a fellow comrade in arms, Zuma was outplayed by a more experienced and wilier politician and leader than he is.

4.5. Problematics inherent in the GPA

It is important to highlight some of the problematic issues which undermined the efficacy of the GPA. According to Bhengu (2010) ZANU-PF did not stick to the agreement and Mugabe resisted relinquishing power to the MDC. Bhengu asserts that the GPA has been an unequal agreement as ZANU-PF has preserved control of the dominant levers of the military and security sectors and thus has not fully implemented the terms of the agreement. The ICG report (2012:6) observes that after the signing of the GPA, the two formations of Movement for Democratic Change (MDC) continuously condemned ZANU-PF's deliberate violation of the GPA and its unwillingness to implement some of the crucial aspects of the agreement. Furthermore, the ICG

report (2010:9) contends that since the creation of the GPA, it has been mired in disagreements over implementation around key posts, and ZANU PF has refused to consider any reform with regard to the control of the central coercive powers. The ICG report quotes Mugabe as saying that “ZANU PF as a party of the revolution and the people’s vanguard shall not allow the security forces of Zimbabwe to be the subject of any negotiations for the so-called security-sector reforms...that is the most dependable force we could ever have, it shall not be tampered with” (ICG, 2010:9). Thus, given that ZANU-PF obduracy has hindered the full implementation of the GPA, both the EU and the West have rejected the call to remove the targeted sanctions on President Mugabe and his party members.

Similarly, Murithi and Mawadza (2010:297) argue that one issue that SADC has failed to implement with the GPA is the reform of the security sector in Zimbabwe. For them, the effective reform of the security sector in Zimbabwe is at the heart of the stabilization of the country. “Politicization of virtually all of the security sectors has witnessed the police and military being deployed to fight political battles by ZANU-PF” (2010:298). They further point out that “any situation in which the force of arms takes precedence over the force of arguments is self-evidently a corruption of the social contract between the governed and the governors and is ultimately unsustainable in the long-run” (Murithi and Mawadza, 2010:299). For Murithi and Mawadza, ZANU PF negotiators have been reluctant to discuss security sector reform for fear of recrimination and to protect ZANU PF’s source of power and cohesion.

However, Cawthra and Niewkerk point out that Mbeki’s mediation resulted in a Global Political Agreement (GPA) in which Mugabe retained the presidency but the main opposition leader, Morgan Tsvangirai, was appointed prime minister and dual executive power was established (Cawthra and Niewkerk, 2004:5), and that the resulting Inclusive Government, lessened the impact of economic collapse. Nonetheless, the GPA and Government of National Unity continued to be characterized by conflicts over key issues of power. Pallotti (2012:29) argues that it did not take long before these expectations turned into a sense of frustration, since SADC neither suspended Zimbabwe, nor adopted sanctions against it, nor has it been able, to date, to effect a real change of political leadership in the country. The recent 2013 election held in Zimbabwe testifies to the superficiality of the problem solving approach to mediation.

4.6 Zimbabwe's election, 2013

The 2013 election was a culmination of a political process that began with the signing of the GPA whose objective was to end an epoch of political and economic crisis in Zimbabwe. The GPA created a Government of National Unity that was tasked to implement legal and constitutional reforms, as well as to facilitate a period of national healing. Ultimately, the GPA was intended to create an enabling environment for the conduct of credible elections and an outcome respected by all stakeholders in the process. Thus, the intention (as distinct from the implementation) was good. That said, the chapter argues that 'quiet diplomacy', like the problem solving model, contains a utopian element of wishful thinking on the part of the mediator/s. It is a shallow approach which elides the deep structures of any given crisis by ignoring or disallowing any data which might hinder a quick resolution. The chapter's argumentation thus highlights anomalies and inconsistencies evident both in the conduct of the election and in the reports from its supporters and its critics. In particular, the chapter notes SADC's uncritically supportive role. The participation and evaluation of the 2013 election by SADC, especially the way it endorsed Mugabe makes one wonder if there ever was a GPA, since – as demonstrated by the election results – Mugabe's extraordinarily lengthy tenure as President, and ZANU-PF's monopoly of power continued unabated with SADC's backup.

In a SADC document released in July 2013 by Hon Bernard Kamillius Membe (Minister of Foreign Affairs and International Cooperation of Tanzania) on the Zimbabwean Harmonised Election, entitled 'Final Preliminary Statement of the SADC Elections Observer Mission', Membe states that SADC openly declared that the election were free and peaceful. The report asserts that the elections were characterised by an atmosphere of peace and political tolerance (Membe, 2013). The document urged all parties to respect and accept the election results. However, it is instructive to note that SADC never used the common expression of 'free and fair elections' but instead the elections were described as 'free and peaceful'.

A critical evaluation of SADC's endorsement of the 2013 election requires a comparison between electoral principles and guidelines of SADC with specific regard to a free and fair election and what actually occurred during the 2013 election in Zimbabwe. This chapter concludes that the 2013 election was conducted in a free and peaceful environment. However,

the chapter outlines electoral procedures and issues which failed to meet SADC guidelines and principles governing elections.

According to the Southern Africa Trade Union Coordination Council (SATUCC, 2013:1) “the 2013 harmonised election was largely conducted in a calm and peaceful environment compared to the 2008 election.” SATUCC further argues that in this regard it can be safely concluded that the harmonised election was generally peaceful despite isolated cases of intimidation of voters being reported, mainly in the rural areas (2013:2). However for SATUCC “the credibility of the harmonised elections is greatly compromised by the failure by the Zimbabwe Electoral Commission (ZEC) and the Office of the Registrar-General of Voters to release and make available both the electronic and hard copies of the voters roll to contesting political partners until the eve of the voting day” (2013:3). According to SATUCC “the Zimbabwe Electoral Act states that the Commission (ZEC) shall within a reasonable period of time provide the voters roll and provision of copies to political parties and indeed any interested groups or individuals” (2010:3).

According to the report by SATUCC in all the 87 polling station visited, SATUCC observer team witnessed a number of voters being turned away as they could not be found on the voters roll and in a few cases because they found themselves at the wrong ward as in most cases the voting registration slip did not indicate the ward number. “This seemingly systematic trend at almost each polling station visited disenfranchised a huge number of voters, now estimated at about a million voters by ZESN, again compromising the credibility as well as the fairness of the elections” (SATUCC, 2013:4). Even more tellingly, the Crisis in Zimbabwe Coalition (CZC) emphatically declare that the 2013 Zimbabwe harmonised election failed to meet a number of the SADC Principles and Guidelines Governing Democratic Elections. These include: “(i) full participation of citizens in political processes (ii) equal opportunity for all political parties to access state media; (iii) equal opportunity to exercise the right to vote and be voted for; and (iv) voter education” (CZC, 2013:2).

In an evaluation prepared by CZC (2013:2), the 2013 election flouted some of the principles of SADC governing elections; hence SADC’s endorsement of the election is inconsistent with its own principles. For instance, on the electoral environment, SADC principles and guidelines state that all citizens should enjoy freedom of movement, assembly and expression as well as political

tolerance “It is unfortunate that the evaluation noted that the freedom to assemble and associate were limited by the Public Order and Security ACT (chapter 10:27), which regularly ban political gatherings especially those by the opposition” CZC (2013:2). The CZC further state that concerning the freedom of speech, the Public Order stifles the right to access to information. It has been common to witness the way the government used these ACTS to ban newspapers and prevent foreign journalists from reporting and observing elections (CZC, 2013). One of SADC’s guidelines and principles governing democratic elections states that there should full participation of the citizens in the political process. However this was not the case in the 2013 election. The voter registration exercise which closed on the 9th of July 2013 left thousands of prospective first-time voters unregistered hence disenfranchising them (CZC, 2013). The CZC further argue that “there was significant discrimination between rural and urban voters with more registration centres having been deployed in rural areas than in urban areas. ZESN’s analysis of the voters roll identified a significant disparity with registration in urban wards at 67.94% and those in rural wards at 99.97%”. (CZC, 2013:4)

According to SATUCC, the preparedness of ZEC to conduct free and fair elections is doubtful as reflected in the several shortcomings in the preparations for the polls and during the polling day. This concern was also expressed by the African Union (AU) as well as by SADC. SATUCC (2013:4) state that “the Extra Ordinary Summit of the SADC Heads of State and Government held in Maputo on 15 June 2013, while acknowledging the ruling of the Constitutional Court of Zimbabwe on the election date, agreed on the need for the Government of Zimbabwe to engage the Constitutional Court to seek more time beyond 31 July 2013 deadline for holding the Zimbabwean elections”. The Summit in Maputo “further urged the three parties to the GPA to undertake immediate measures to create a conducive environment for the holding of peaceful, credible, free and fair elections” (SATUCC, 2013:5). However, despite concerns articulated by the AU and SADC, the election date remained unchanged as determined by the Constitutional Court.

In light of serious procedural irregularities as detailed above, it is scarcely surprising that SATUCC concludes that Zimbabwe’s 2013 election failed to pass the free and fairness test, and that to a large extent, the election lacks credibility. Sadly, even though the credibility of the

election is wide open to question, it succeeded in further incapacitating the opposition to ZANU-PF

4.7. Post-election crisis in Zimbabwe.

Notwithstanding an (allegedly) ‘free and fair’ 2013 election, the Zimbabwean crisis is far from over and the country is still mired in poverty. Arguably, the country is worse off than it was under the previous Government of National Unity. This section details a selection of on-going problematics, which in combination, constitute an on-going crisis. Some of these problems include: lack of direct foreign investment; increased shortages of water and electricity supply; inability to pay and increase civil servants salaries; and the continuing collapse of social services such as health and education.

The Zimbabwe Catholic Bishops Conference (ZCBC) released a proposal for restoration and peace in the country following the 2013 national election According to the ZCBC (2013:1) “the 2013 election has left Zimbabweans more polarized than they were before and during the years of the Inclusive Government (2009-2013).” They argue that the political fault lines and their impact on all aspects of the lives of Zimbabweans are set not only to deepen, but also to stand in the way of progress and ultimately in the way of peace (ZCBC, 2013). They note “with apprehension that three months after the dust from the elections began to settle down, there are no visible prospects for improvement in the spheres of life in Zimbabwe that cry for restoration to give people hope for a better life.” They point out four issues which need to be addressed for the common good of Zimbabwe. These are: re-engagement with the international community; restoration of the national economy particularly the manufacturing sector; restoration of the public services sector which includes health, education, water, sanitation, transport and energy; and restoration of Zimbabwe's historical status as Southern Africa's bread basket with food security for her people (ZCBC, 2013:1-2).

The ZCBC further argues that the need to create viable platforms to address effectively the areas outlined above for the benefit of the Zimbabwean people and country cannot be overemphasized. The Catholic bishops lament that industrial sites carry the appearance of ghost towns because the once-vibrant manufacturing sector is now largely dilapidated. They assert that the dignity of Zimbabwean people has been severely eroded as they have become “reduced to sellers of cheap

goods and products at street corners in our cities in order to survive” (2013:2). They note a severe lack of public services which impede Zimbabwean's hope for a better life. They highlight that daily water and power cuts, shortage of medicines, equipment and professional personnel in hospitals, chaos and carnage on roads, raw sewage flowing in the streets of towns and cities are on the list of crisis phenomena which deplete the dignity of the people of Zimbabwe and decimate their hope for a better life (ZCBC, 2013).

Scott McKenzie (2013:1) contends that after the 2013 election the country still faces a severe humanitarian crisis as the citizens of Zimbabwe's major cities do not have enough clean water. McKenzie states that the shortage of clean water results in outbreaks of cholera, diarrhoea, and other illnesses. He argues that “Residents of Harare and the rest of the country have not had consistently running clean water for years and the city requires 1.2 million cubic meters of water every day, but only half is treated” (2013:2). Moreover, the city's raw sewage is pumped into the same lakes and rivers that supply water and create a dangerous and dirty loop. He notes that because citizens lack clean water, they drill their own boreholes. Boreholes come at considerable personal expense and many residents in Zimbabwe are unable to afford this extraordinary solution (McKenzie, 2013). For him, boreholes are hardly a perfect solution and individual boreholes can easily become contaminated. He further argues that “on a wider scale, drilling has lowered the water table around the country, leaving this precious resource out of reach for even more people” (2013:2). McKenzie point out that residents in Zimbabwe without boreholes often buy water from vendors in the street and salespeople often purport their water is from pure springs, while in reality comes from the city's polluted municipal supply. There is no government oversight for these vendors, and there are concerns that the filthy tanks and equipment will result in further contamination of already questionable water (McKenzie, 2013).

Another characteristic of the on-going crisis, along with the flawed nature of the election, are severe challenges with electricity supply. According to Tererai Karimakwenda (2013:1) “Zimbabwe's power authority ZESA, has been accused of manipulating power output during the 31st July election period, by reducing unpopular load shedding during that time.” For him, this could be one of the campaign strategies that the government used to gain votes. He maintains that the allegations come as the country returns to extended periods every day without electricity,

following several weeks of improved electricity output. He notes that “these massive power cuts, ranging from 8 to 15 hours daily, are also coming without the usual load shedding warnings to domestic and commercial users” (2013:1-2). Moreover, some areas in Harare were going without power for entire days for example, Budiriro and Highfield. He adds that “the Zimbabwe Electricity Supply Authority (ZESA) admitted in a statement that it had reduced power output from 700 to 200 megawatts over the past two weeks, due to the loss of four power generating units” (2013:2).

Karimakwenda (2013:3) comments that “the power utility also confirmed that it increased power supply and minimized load shedding in the period leading up the elections, by importing additional electricity from the Southern African Power Pool (SAPP).” He notes that ZESA claims this was done to ensure the smooth running of 2013 election, but some observers dismissed the claim. Karimakwenda reports that “one of the critics, Precious Shumba from the Harare Residents Trust (HRT), told SW Radio Africa that residents did not understand why power cuts had suddenly become worse when no other relevant factors had changed.” Thus, ZESA officials have not been forthcoming in clarifying this position. He concludes his critique by stating that “unfortunately you will find that most Zimbabweans have become used to power shortages, inconsistent water supplies, the corrupt practices of service providers and policy makers and heavily potholed roads, which they see as normal” (2013:4).

Former Finance Minister and the MDC Secretary General Tendai Biti (2013:1) states that the July 31 election outcome has plunged Zimbabwe into a political and economic crisis.” Biti (2013:1) argues that “five months after the July 31st sham election Zimbabwe is at crossroads confronted with a crisis in the economy, crisis of leadership, crisis of governance and crisis of legitimacy.” He adds that it is far too easy to rig an election but the economy is a totally different ball game. What is happening on the ground is that ZANU- PF are helpless and cannot run an economy and thus Zimbabwe is going back to the crisis in 2008. The past few months after the 2013 election have seen a “substantial fading of business confidence, decline in industrial capacity utilisation, and collapse of economic recovery which had begun in 2009”, and adds that over 300 workers are being retrenched every week. (Biti, 2013:2). Retrenchments, company closures and capital flight have been a consistent feature of the post-election period Biti observes that the post July 31 election outcome:

is manifested by high level of unemployment pegged above 84 percent, increased shortage of water and power; inability to pay and increase civil servants salaries; absence of agriculture support for the 2013/14 cropping season; rising domestic debt and sovereign debt; de-industrialization and plummeting capacity utilisation; collapsing social services such as health and education; lack of foreign direct investment; capital flight; lack of domestic savings and systemic banking sector vulnerabilities(Biti,2013:3).

Judging from the above views, it seems that the Zimbabwean crisis is indeed far from over. The question remains: what can SADC do to intervene in the post-election crisis, how well equipped is it to make a constructive intervention, and does it have the political will to intervene? As discussed above, SADC's early warning system is very weak: they fail to respond to a crisis situation on time.

4.8. SADC's role in Zimbabwe's crisis. An argument in favour of applying Transformative Mediation Theory.

4.8.1. Summary and elaboration of chapter's findings

Thus far, the chapter has shown that in his capacity as (then) President of South Africa, Mbeki was the main architect of SADC's mediation role in the Zimbabwean crisis, and that his chosen strategy of 'quiet diplomacy' ultimately was replicated by his successor, President Zuma, whose initial attempt to implement 'loud diplomacy' backfired on his prospects of re-election as leader of the ANC. The chapter has also shown that quiet diplomacy is a form of problem solving mediation. It does not follow the model exactly, but it shares a number of the model's key features, including its faults and limitations.

It is worth emphasising at this juncture in the chapter that quiet diplomacy contains a serious flaw introduced by Mbeki. Indeed, Mbeki flouted one seminal rule of all theories of mediation, namely, the neutrality and impartiality of the mediator/s. Heine points out that "Mbeki's repeated visits to Harare and meetings with Mugabe at the State House, where they would enthusiastically hold hands in front of the press, showed not so much the presence of an international mediator, but as a colleague and friend of Mugabe's trying to rescue him from a difficult situation." Furthermore, Heine highlights Mbeki's obvious dislike of Morgan Tsvangirai, whom Mbeki would rarely meet, if at all, [which] only reinforced the perception that he was not an honest

negotiator searching for a fair solution (Heine, 2009). Nathan (2005:361) articulates a similar view, and adds that “Mbeki’s policy of quiet diplomacy was an ad hoc, haphazard approach which failed to deal with the crisis in Zimbabwe.” Hence, this chapter argues that quiet diplomacy contained two fault-lines not inherent in a problem-solving model. Firstly, quiet diplomacy manifests a strong preference for one party in a dispute. Secondly, it has not been theoretically developed as a coherent and systematic conflict mediation strategy. It contains a markedly prescriptive orientation which is justified on ideological (as distinct from theoretical) grounds.

The chapter shows that despite initial differences of opinion among SADC’s member states, SADC adopted quiet diplomacy wholesale. This subjective preference for Mugabe and ZANU-PF is explained by Bhengu (2010) in two ways. Firstly, most of the governments in Southern Africa are still led by (former) liberation movements. There is still a kind of ‘old boys’ liberation club of leaders who band together in a crisis. Secondly, SADC’s member governments are wary of supporting the West over their own counterparts based on the principle of national sovereignty.

Assertion of an elected leader’s right to safeguard the national sovereignty of his/her country is a common feature of International Relations, as demonstrated, for instance, by the current dispute between Britain’s Prime Minister, David Cameron, and European Union (EU). That said, the chapter contends that assertion of the right to national sovereignty is more harmful than helpful to ordinary citizens of a country – in this case, Zimbabwe – if it implicitly sanctions widespread human rights abuses. This is where a flaw inherent in the discourse of problem solving mediation comes into it. As the chapter has shown, by disallowing opposition party and civil society criticisms of ZANU-PF’s human rights violations, quiet diplomacy in effect validated the ruling party’s right to violently subdue dissenting views. For Gatsheni (2011:12) this can partly be explained “by the ties Mbeki has created with ZANU-PF since the 1980s; his ideological sympathies with former liberation movements; his knowledge of the complexity of the Zimbabwean situation; and his aims to reframe and position South Africa as a leader of the African continent.”

Unlike his illustrious predecessor, Mandela, Mbeki was not a global human rights icon. As President, he did not see it as his moral duty to intervene in African situations where human

rights are endangered. Rather, Mbeki's concern was to emphasise his status as an *African* leader. Thus, in specific relation to the Zimbabwean situation, "facing a highly respected liberation leader [Mugabe] with substantial support in the region and in Africa, the SA government, even if it had an inclination to, could not afford to get isolated in a political position that was seen to push the agenda of Western countries" (Mlambo and Raftopolous, 2009:7).

However, for the author of this dissertation, firstly there is a notable contradiction between Gatsheni's claim (quoted above) about Mbeki's knowledge of the complexity of the Zimbabwean situation, and the 'band-aid' solution of the GPA. To this author, it comes as no surprise that Mugabe and ZANU-PF's re-acquisition of legitimacy via the 2013 election has done very little to address the political and socio-economic manifestations of crisis. A 'band-aid' election result does nothing to substantively heal the deep wound inflicted by the violent ethos of colonialism which was carried forward to contaminate the post-colonial era in Zimbabwe. Arguably, a greater crisis lies ahead given Mugabe's age and the internal contestations within the ruling party to inherit his leadership mantle – at which juncture; SADC's role in the crisis could prove to be conclusive one way or another.

Secondly, the chapter argues that it is time for SADC to consciously abandon the superficial approach of the problem-solving model. As highlighted in Chapter two, as well as in this chapter, a serious limitation of the problem solving approach is its tendency to over-focus on constructing an agreement between conflicting parties, and to under-focus on a fair and equitable implementation of the agreement. The model assumes that (somehow) the agreement and its implementation are the same phenomenon. It is as if a problem-solving mediator assumes that his or her main task is to facilitate a rapid agreement to end the conflict, and that almost by definition, proper implementation of the agreement will follow. As the chapter has shown, however, ZANU-PF's refusal to let go of its command of the country's security apparatus intentionally foiled fair and equitable distribution of power in the Unity Government. The bottom line of a state's existence as a state is its ability to monopolise the means of coercion. Given that historically, ZANU-PF has tended to conflate state interests and ruling party interests, it felt ideologically justified in monopolizing the means of coercion. This effectively emasculated the opposition party which, in any case, had been presented as an agent of western imperialism, and hence as the 'enemy.'

A further complicating factor was the enmity which developed between Mbeki and Zuma in their battle for the right to lead the ANC. It has been suggested by the ICG (2008:2) that in the run-up to Zuma's takeover bid, it suited him to embarrass Mbeki by siding with the MDC's criticisms of quiet diplomacy. Once he had succeeded in rallying enough support to enable him to replace Mbeki, his initially tough stance on Zimbabwe was undermined by the realities of power-retention in South Africa's political arena. Thus, like Mbeki, he failed to ensure effective implementation of the GPA.

In the final part of this chapter, the author explains her conviction that key tenets of Transformative Mediation theory point the way forward for SADC's mediators in the Zimbabwean crisis. To utilise a Marxian analogy: if we see problem solving mediation as the thesis, then transformative mediation can be seen as the antithesis which is the precursor of a synthesis (or new thesis). In this view, transformative mediation is a necessary aspect of dialectic of substantive and progressive change in Zimbabwe.

4.8.2. Arguments in favour of applying transformative mediation theory to SADC mediation in Zimbabwe.

According to Glaser (1996) the potential danger for a round-table mediator of parties enmeshed in an extant conflict is that the interaction between the parties might quickly degenerate and assume a mutually destructive, alienating, and dehumanizing character. In similar vein, Folger argues that "engaging in difficult conflict tends to create a loss of personal strength and clarity." Folger delineates two potential mediation pitfalls. Firstly, conflict tends to lessen parties' ability to accurately understand and assess their situations, think clearly about their own views and deliberate confidently about their choices and options. As a result, "parties are often uncertain, indecisive, confused, and disorganized as they engage each other about the issues that divide them" (Folger, 2008:841). Secondly, Folger (2008:842) asserts that "conflict tends to lessen parties' ability for perspective-taking and social connection in such a way that parties become myopic and self-absorbed." He further argues that conflicting parties are less able to see beyond their own perspectives and views, and less willing to understand or consider the perspectives of other parties. As a result, parties often respond defensively. For him, the parties may become unresponsive and act with limited understanding and insufficient awareness of the other's

situation or perspective. Parties' self-absorption leads them to make decisions without considering important information, integrating critical considerations, or moving beyond their initial instincts.

Folger (2008:842) adds that "parties make choices that are rooted in a reactive, unreflective posture rather than a reflective, deliberate one." This negative interaction is revealed in the Zimbabwean situation in much as the contending political parties have ceased to see each other as political opponents competing over people's votes; instead, they have tended to see each other as political enemies. According to Bhengu (2010:7) the inimical situation in Zimbabwe was intensified by the political intolerance and violence of the ruling party (ZANU-PF) towards the opposition party (MDC-T). These circumstances made it impossible for constructive dialogue to take place between these conflicting parties. There was a total lack of communication between the two parties which necessitated the presence of a third party to create a platform for reconciliation.

According to Bush and Folger, the transformative model of mediation posits that, despite conflict's potentially destructive impact on interaction, "people have the capacity to change the quality of their interactions to reflect relative personal strength or self-confidence (the empowerment shift) and relative openness or responsiveness to the other (the recognition shift)" (1994:20). Moreover, as these positive dynamics feed into each other, the interaction can regenerate and assume a constructive, connecting, and humanizing character. The model further posits that that the transformation of the interaction itself is what matters most to parties in conflict, even more so than settlement on favourable terms. Similarly, Durbin and Doogue (1999:2) define transformative mediation as "a process in which a third party works with parties in conflict to help them change the quality of their conflict interaction from negative and destructive to positive and constructive". In contradistinction to the above values and strategies, the SADC mediation effort under the leadership of the South African government lacked the capacity to change the quality of negative interaction and attitude of the ruling party and the opposition party in Zimbabwe.

This lack of capacity signifies the failure of quiet diplomacy as the chosen strategy of SADC mediation role in the crisis in Zimbabwe. In other words, quiet diplomacy did not adequately transform the negative attitudes and perceptions of the conflicting parties. As already has been

noted, the policy of quiet diplomacy has not been theoretically developed, either by Mbeki or by his successor, President Zuma. “Mbeki’s policy of quiet diplomacy was an ad hoc haphazard approach which failed to deal with the crisis in Zimbabwe”. (Nathan, 2005:361)

Some scholars have approached the debate from a pragmatic perspective by arguing that quiet diplomacy is a necessary evil given that SADC does not want to see an escalation of conflict in Zimbabwe (Lipton 2009; McKinley 2006; Graham 2006; Adelman 2004). It seems that SADC is ready to cope with an unstable neighbour but not ready to cope with a failed neighbour. If these scholars are correct in their interpretation, then it is worth noting that this is not a positive view or frame of mind with which to engage in conflict mediation. It suggests that SADC in general and South Africa in particular resorted to mediation as the lesser of 2 evils. By contrast, a Transformative model of mediation emphasizes the need not just to come to a mutual agreement but also to generate positive ways of implementing the agreement. By definition, then, the Transformative model is a process based model which aims at creating substantial and stable relationships which do not just last during the process of striking a deal but throughout the process of implementation. If such a process of mediation is to take place, then a mediator has to be carefully chosen. It should be someone truly committed to the process and willing to see the process through, no matter how lengthy it might be, in order to achieve solid and lasting results based on the willingness of the parties in conflict to permanently resolve their dispute.

To achieve the above results, mediation in the Zimbabwean crisis should be based on trust or at least trust should be built during the process of mediation itself. Unfortunately, however, there is no trust between the opposition and the ruling party. By extension, any settlement reached when parties in conflict do not trust each other is bound to fail as was the case in the Zimbabwean situation. Moreover, given the intensity of the post-2013 crisis in Zimbabwe, it is unlikely in the extreme that, in the absence of a mediator, the opposition will learn to trust the ruling party’s capacity for crisis management. Thus, a continuation of mediation is a prerequisite for crisis resolution in Zimbabwe. Moreover, it is of the highest importance that all parties involved in the mediation process are able to trust the mediator.

The chapter therefore asserts that in a situation of ongoing crisis, or a series of crises, the most appropriate model is that of transformative mediation. Theorists and practitioners of this model believe that for trust to be established, the parties should be allowed to express their emotions

and responses (Glaser 1996:1-3). Emotions reveal unarticulated fears or beliefs that can hinder implementation. Encouraging parties to articulate their fears or beliefs encourages the parties to discuss past events (Glaser 1996:1-3). In the process, history reveals the basis of the present understanding and views. Reflecting on the past gives the parties an opportunity to reconsider the present views in a clearer light. Such reflections normally stimulates uncertainty and make parties in dispute reconsider their original positions, enabling empowerment by exploring their own confusion, and encouraging recognition by allowing empathy to develop between the disputants. As noted in Chapter two, at the base of transformative mediation are the key elements of empowerment and recognition. Additionally, the model advocates that the parties need to find their own way to resolve the dispute.

Transformative mediation allows all the intentions which might, in future, derail agreements to be examined during the mediation process. What is important for Transformative mediation is not necessarily a prompt settlement (such as the signing of the GPA) but a change of attitude. A change of attitude facilitates a mature implementation process to which those involved in conflict will adhere. Such a mediation process is not selective but deals with all the issues at stake honestly and holistically. If parties in conflict disagree, it offers space for disagreement and it also gives just as much space for healing and growth. Transformative mediation does not forcibly seek a settlement but probes and seeks genuine and fair commitment to conflict resolution. This mediation platform can also allow criticism of the party which deliberately chooses to derail the positive outcome of the program.

According to Joseph Folger (2008:845) “transformative mediators’ primary focus is on supporting parties’ shifts towards empowerment and recognition as conflict interaction unfolds during the mediation process.” Folger (2008) further argues that empowerment and recognition shifts are the result of mediators’ sustained and conscious effort to proactively follow, rather than lead, the parties. The practice of proactively following the parties is accomplished by relying upon a core set of transformative intervention skills, including interventions that are aimed at highlighting parties’ comments and perspectives as they articulate them, so that parties may “hear” and reflect upon what they are saying (Folger & Bush, 1996:25). As this chapter has argued above, SADC mediation efforts were more focused on making the conflicting parties come together and agree to a settlement without allowing the parties to reflect on their problems

and how best they could work together to try and resolve the crisis in Zimbabwe. Folger (2008) states that the practice of reflecting comments back to the parties allows parties to more deeply consider the implications of their own remarks, to decide whether what they have said is what they want to be saying, and to restate and refine comments that they may have previously offered. The objective of such interventions, for example, in the Zimbabwean crisis would be to help the parties develop greater clarity and insight about their own ideas, preferences and reactions.

According to Miroslav Sarac (2012:13) one of the greatest benefits of using transformative mediation is that it allows people to resolve the charge in a friendly way (if possible) and in ways that meet their own unique needs. According to Sarac, a charge can be resolved faster through mediation. Mediation is fair (it should be), efficient and can help the parties avoid a lengthy investigation and litigation. Sarac (2012:14) argues that mediation is a process whereby the parties meet with a mutually selected impartial and neutral person who assists them in the negotiation of their differences. Mediation leaves the decision power totally and strictly with the parties. The mediator does not decide what is "fair" or "right," rather, s/he facilitates debate about the nature of 'fair' or 'right' in a given conflict situation. To this end, transformative mediation allows for subjectivity while encouraging objectivity.

4.9. Conclusion

In conclusion this chapter has examined if SADC is an appropriate mediator to intervene in the Zimbabwean crisis. The chapter has argued that SADC's mediation efforts lacked neutrality and impartiality which are important factors in any form of mediation process. The chapter has observed that SADC's mediation efforts faced severe challenges characterised by tensions between SADC member states, lack of resources and a lack of an alternative mechanism to resolve the crisis in Zimbabwe. The chapter has argued that one of the challenges that make SADC not to be an appropriate mediator is that it lacks the ability to distinguish between respect of human rights and the promotion of national sovereignty.

The chapter has also examined the mediation strategy adopted by Mbeki under the auspices of SADC. Mbeki used the policy of quiet diplomacy as his main strategy to try and resolve the crisis in Zimbabwe. However the chapter pointed out that the policy of quiet diplomacy was not the right mediation strategy to employ in the Zimbabwean crisis because the crisis in Zimbabwe

needs a constructive long term mediation approach that can fully transform the Zimbabwean crisis into lasting peace and stability. The chapter tried to understand the policy of quiet diplomacy as a problem solving mediation as it aims solve a problem and to reach a settlement in a short period of time. The chapter argued that Mbeki managed to score a few successes with his mediation efforts in Zimbabwe for example, he managed to make the conflicting parties to sign the GPA and an Inclusive Government was formed. However Mbeki's biggest challenge was that he failed to be neutral in his mediation efforts and he was too close to Mugabe and this in turn decreased his objectivity in his mediation efforts in Zimbabwe.

The chapter also displayed the different stances that Mbeki and the current president of South Africa Jacob Zuma took in trying to resolve the crisis in Zimbabwe. Zuma took over from where Mbeki had left off, he finalised the terms of the GPA but he faced a lot of challenges with regards the full implementation of the GPA. For example, the GPA failed to deal with the issues of security sector reform in Zimbabwe which is at the heart of stabilisation of the country. The chapter accessed how the 2013 election in Zimbabwe witnessed the final collapse of the GPA. The chapter argued that SADC failed to play an effective role in 2013 elections because they lowered the standards of free and fair elections by declaring Zimbabwe's election as free and peaceful. The chapter revealed how the 2013 election failed to meet the SADC's principle and guidelines governing democratic elections. For example, the 2013 had many technical problems these include: lack of access to the electronic voters roll to stakeholders, chaotic special vote and uneven access to the public media. The chapter also highlighted the post-election crisis in Zimbabwe. The chapter argued that the Zimbabwean crisis is far from over and the country is still mired in poverty. For example Zimbabwe is still facing several problems such as: lack of direct foreign investment; increased shortages of water and electricity supply; inability to pay and increase civil servants salaries; and the continuing collapse of social services such as health and education.

The chapter introduced the transformative approach to mediation as an alternative to the quiet diplomacy used by Mbeki under the auspices of SADC. The study outlined arguments in favour of applying transformative mediation. Transformative approach is preferred for this study because it focuses on the problem or conflict more realistically and takes into serious consideration people involved in conflict as important and central to the conflict resolution

process. This approach is understood as anchored on two pillars namely empowerment and recognition. These two pillars enable the mediation process to be seen as the initial stages of the implementation process and also an assurance of the possible success of the prospect of the mediation process.

The policy of quiet diplomacy which was adopted by Mbeki aims to seek for a resolution of the mediate problem without seeking the root causes and the nature of the crisis. Through empowerment and recognition transformative mediators seek deeper changes in interpersonal interactions of the conflicting parties beyond the short term superficial remedies of the policy of quiet diplomacy and problem solving mediation. The chapter suggests that SADC mediators should settle in for the long haul by adopting and adapting a transformative mediation model to fit the contours of national conflict, and by working towards a step-by-step resolution of a seemingly intractable crisis situation in Zimbabwe.

CHAPTER FIVE

SUMMARY AND SUGGESTIONS FOR CONSIDERATION

The chapter is divided into two sections: firstly a section which highlights and summarizes the dissertation's points of departure and lines of argument. Secondly, a section which offers for consideration a selection of suggestions regarding the positive role SADC potentially could play in resolving the Zimbabwean – and other Southern African - crises in the long-term.

5.1 Summary of content & argumentation

Overall, the study's main point of departure is the role of SADC in mediating the political and economic crisis in Zimbabwe. Given that SADC is a regional organisation of which Zimbabwe, under the leadership of President Mugabe, is a very influential member, crisis in Zimbabwe does not only affect its citizens but also has ramifications for the SADC region as a whole. The first chapter outlined the background, research questions and objectives of the study. It explained that the study has employed both historical and qualitative research methods to analyse the role of SADC in the Zimbabwean crisis. It utilised the methodology of qualitative research which involves methods of data collection that are non-quantitative or non-numerical, for example, the use of books, journal articles, newspapers and internet sources. The study used information or data sourced from both secondary and primary sources in analysing the role of SADC in the Zimbabwean crisis. It is argued that the qualitative research method is appropriate for this study because it allows one to get more in depth information about the role of SADC in the political and economic crisis in Zimbabwe. The study utilised content analysis and document analysis as research methods or techniques to analyse data for the research topic.

In the second chapter, a range of literature was explored in regard to the role of SADC in the political and economic crisis in Zimbabwe. The chapter noted a relative dearth of literature addressing the issue of an alternative theory of conflict mediation which might have been, and still might be constructively applied by SADC to the ongoing crisis in Zimbabwe. It was explained that there is a gap in the literature which the present study would contribute to addressing. Hence, the second section of this chapter explored a number of conflict mediation

theories. Among these theories, the chapter took particular note of the contrasting approaches of problem-solving mediation and transformative mediation theory. The chapter also briefly explained and justified the dissertation's preference for transformative mediation theory as the most appropriate conflict mediation model in the case of Zimbabwe. It thus became clear in this chapter that transformative mediation theory comprises the study's second point of departure, which has fuelled some of the dissertation's lines of analysis and argumentation.

The third chapter comprised a primarily descriptive narrative. Firstly, it detailed and explained the complex and multi-faceted evolution of crisis in Zimbabwe which has its roots in the colonial era. Secondly, the chapter described the origin and evolution of SADC, and outlined its various structures. This latter section of the chapter highlighted the dominant position of President Mugabe within SADC. The second section of this chapter also paid specific attention to the security structure of SADC so as to establish the groundwork for evaluating its effectiveness – or otherwise - in resolving the Zimbabwean crisis.

The fourth chapter combined descriptive narrative with critical analysis and argumentation. In the process, it drew extensively from extant literature dealing with the crisis in Zimbabwe and SADC's mediation role. The chapter found that quiet diplomacy was and still is SADC's preferred mediation approach. While not claiming that quiet diplomacy (pioneered by former President Mbeki) is a text book case of the problem solving approach, the chapter nonetheless uncovered key similarities between quiet diplomacy and the problem solving model of mediation. The chapter also found that South Africa's current President, Jacob Zuma, briefly applied a new strategy of 'loud diplomacy' before abandoning it in favour of quiet diplomacy (for reasons explored in the chapter). The chapter problematized the GPA, as well as the national election of 2013. It found that in a number of instances, SADC's endorsement of the election contradicted its own principles governing elections. The chapter then argued and supported its finding that the election results, which restored Mugabe's and ZANU-PF's exclusive grip on the reins of power, by no means ended the crisis. On the contrary, it is arguable that in significant ways, the crisis is more pronounced than it was under the auspices of the former Government of National Unity. The chapter also problematized SADC's role as mediator, given that as currently constituted, it lacks regional mechanisms and an effective mediation strategy. Finally, the chapter outlined key ways in which transformative mediation theory is a more appropriate

mediation model, in the context of Zimbabwean crisis, for SADC to adopt in place of quiet diplomacy, which largely has succeeded merely in perpetuating the political and economic status quo in Zimbabwe and the region. This argument in favor of SADC's applying a transformative mediation model to on-going crisis in Zimbabwe is elaborated in the second section of chapter five which concludes the study.

The chapter concluded by outlining nine considerations or recommendations that SADC can use to try and resolve the crisis in Zimbabwe. The study recommended that SADC should adopt transformative mediation which seeks deeper changes in parties' interpersonal interaction beyond the short term remedies of quiet diplomacy and problem solving mediation. The Zimbabwean crisis needs a transformative mediation approach that can change the negative perceptions and attitudes of conflicting parties in Zimbabwe. The study also recommended that SADC mediation efforts should aim at supporting parties' expression and exploration of past differences so that they can express their negative emotions about each other. The past emotions and feelings often creates opportunities for conflicting parties in Zimbabwe to reconsider their present views, and to improve the way they view and relate to each other. The study also recommended that SADC should improve its conflict or crisis prevention mechanisms and they should improve its early warning to early action system. To this end, SADC should increase its role in Zimbabwe and they should work towards democratic ruling for its member states. The chapter also encourages the people of Zimbabwe to also play a crucial role to try and solve their own crisis and for SADC to assist the country achieve democracy and the respect of human rights.

5.2 Consideration of selected principles and practices of transformative mediation theory in its capacity as an alternative model to (aspects of) problem-solving theory as manifested in the extant SADC strategy of quiet diplomacy.

As indicated in the previous chapter, the study recommends the use of transformative mediation on the grounds that it has the potential to substantively transform the Zimbabwean crisis into lasting peace and stability. There are essential elements that characterise transformative mediation which putatively can revolutionise SADC's role in mediating a long-term solution to

the crisis in Zimbabwe. These elements include: giving control of the mediation process to all parties in the dispute; maintaining substantive non-directiveness; supporting parties' expression and exploration of differences; and proactively supporting parties' shifts towards empowerment and recognition. Although this is not a comprehensive list of practices within the transformative mediation approach, it nonetheless is argued that these elements are sufficiently representative of transformative intervention. However, it should be noted from the outset that a literature-based dissertation which contains – as is the case in this section of the final chapter – a prescriptive element is not so much making recommendations as offering alternative strategies for consideration of the reader/s.

Firstly, it is suggested that SADC mediation efforts should aim at empowering the conflicting parties in Zimbabwe, thereby enabling them to recognize each other's needs, concerns and perspectives. A hallmark of effective transformative mediation is that the mediator describes his or her role and objectives in terms of empowerment and recognition (Spangler, 2003). Accordingly, it is suggested that SADC as a mediator should explain that its task is to help the conflicting parties in Zimbabwe reach a clearer understanding of their own interests and options, and, if they so choose, to reach a better understanding of their opponent's position. Therefore, SADC's mediation efforts in Zimbabwe should present settlement as one possible outcome of the mediation process. However, reaching a settlement is not presented as the most important goal of transformative mediation. A successful mediation is described as one which produces improved interaction between conflicting parties. SADC mediators using the transformative approach to mediation should stress that responsibility for the outcome of the mediation process lies with the rival parties in Zimbabwe. SADC mediators thus should seek to be responsive rather than directive in their mediation efforts. This approach will serve both to empower the parties, and to keep the mediator's attention focused on the transformative duty.

Secondly, as discussed in the previous chapter, one of the disadvantages of SADC mediation efforts under Mbeki was that his policy of quiet diplomacy was aimed at reaching a settlement within a short period of time without dealing with deeper issues that resulted to the conflict. It was pointed out that in this particular regard, quiet diplomacy bears a close resemblance to the 'quick fix' ethos of a problem-solving model. This chapter thus forwards for consideration the notion that SADC should deploy transformative mediation, given that the approach seeks a long

term solution through empowerment and recognition which can fully transform the crisis in Zimbabwe into lasting peace and stability. The Zimbabwean crisis is a long term and ongoing crisis which would benefit from a strategy with the capacity to transform the interpersonal relations of the conflicting parties beyond a short term period. As highlighted in the previous chapter another disadvantage of SADC's past and present mediation role is that it lacks impartiality: enough so to justify opposition complaints about the uneven distribution of power in the GPA, and thus to the largely cosmetic positions occupied by opposition members of the government of National Unity.

Thirdly, SADC mediation efforts should aim at supporting parties' expression and exploration of differences. This means that SADC mediators should allow the parties to express their emotions, and respond to those expressions of emotion. For Spangler (2003) "emotions often reveal unarticulated fears or beliefs: frustration may be a response to uncertainty, anger may reveal misunderstanding." In the Zimbabwean case, encouraging the political parties to look for the source of their anger and fears, SADC mediator/s may usefully identify further opportunities to encourage empowerment and recognition. For similar reasons, parties' discussion of past events should be supported and encouraged by the SADC mediator/s. This is a notably important consideration given that conflicting parties in Zimbabwe have been semi- continuously at war with each other. For example, the 2008 election was embedded in the unleashing of the ruling party of a wave of politically motivated violence towards the opposition; this worsened the political crisis in the country. Hence it is of seminal important to allow disputants to discuss past experiences and grievances in order to lay the foundation of a more just and equitable order than currently is the case. According to transformative mediation theorists and practitioners, reviewing the past often creates opportunities for conflicting parties to reconsider their present views, and then to improve their recognition of each other. Careful consideration of the disputants' own pasts can yield clearer self-understandings. Such clarified understandings are empowering.

The fourth consideration is that SADC's mediation efforts in Zimbabwe should accept as legitimate and thus help to explore the conflicting parties' uncertainties. The kind of mediation strategy needed in the Zimbabwean crisis is one which requires the mediator to allow the parties to explore their own confusion for themselves. For Spangler (2003:5) "patience and tolerance of

ambiguity will be helpful attitudes for the mediator to cultivate.” Effective transformative mediation would require SADC’s mediator/s to stay closely focused on the presently occurring conflict interaction of political parties in Zimbabwe. SADC should not seek a distanced overview of the problem during the mediation period. Such a view would tend to support a more directive, solution-oriented approach to mediation. Rather, SADC mediator/s should focus on the specific statements of the parties within the mediation session. By paying close attention to the flow of dialogue, SADC mediator/s may locate precisely points of confusion or misunderstanding, and hence identify opportunities for empowerment or recognition. Thus in order to maintain energy and motivation, SADC mediator/s must learn to feel and share with the political parties a sense of success whenever empowerment and recognition occur even in small degrees. Transformative mediators recognize firstly, that empowerment and recognition are valuable in themselves. Secondly, they recognize that agreements and settlements are generally only durable when made by empowered, responsive parties. Mediators who adopt a transformative practice must then also adopt the motto, "Small steps count" (Bush and Folger, 1994:275). These small steps will help the conflicting parties in Zimbabwe to improve their understanding of the other party, thus gradually dispensing with the self/other binary which continues to bedevil Zimbabwean politics. Incremental decreases in polarized dichotomies by degrees will enable the different sides to work together to find national solutions to national problems.

A fifth and predominantly practical suggestion is that SADC should invest in conflict or crisis prevention mechanisms for its member states. SADC’s ‘early warning’ to ‘early action’ mechanism should be an integral part of preventing conflict within and between its member states. SADC’s early warning system should be established with proper infrastructure, information technology and well trained fact-finding missions. Members of fact-finding groups should be qualified in gathering and analysing information. They should also have a well-informed understanding of political and economic crises, such as that in Zimbabwe. Since Zimbabwe is not the only Southern African country exhibiting crisis symptoms, it would be helpful for SADC to include country experts in their fact-finding teams. These suggestions are supported by the ICG (2012:25) which recommends that, SADC should “broaden the region’s early warning system by establishing national systems including civil society, academics, private

sector, trade unions and NGOs, so as to increase the scope of information gathering and analysis; developing a strategy for translating early warning into early action.”

A sixth consideration relates to SADC cultivation of consistency, irrespective of the subjective preferences and loyalties of member states. In other words, SADC should not endorse any election which is not conducted in accordance with SADC principles and procedural guidelines. This consideration is motivated by the preceding chapter’s finding that, despite Zimbabwe’s flouting of SADC procedures, the best that SADC spokespeople could manage was a slightly ambivalent endorsement of the election as ‘free and peaceful’ as distinct from ‘free and fair’. It is at least partly because SADC was willing to settle for second best, that the Mugabe regime has been somewhat dubiously re-legitimized, and the opposition accordingly has been conclusively neutralized. Thus SADC should eliminate its own contradictions and inconsistencies, and sanction ‘sit-tight’ leaders and ruling parties who fail to comply with the regional procedures (as well as international procedures governing elections). Hence, SADC should ensure that any report on the outcome of the elections “refers to the principles and benchmarks set out by SADC’s guidelines of elections and they should take a balanced account of all candidates’ and parties’ views on the conduct of the elections, the conditions in the period leading up to the elections, as well as assessments of civil society organizations monitoring the elections” (Human Rights Watch, 2008:8).

A seventh consideration has direct bearing on a tendency discernable among SADC’s member states to hide behind the principle of national sovereignty especially when gross human rights violations are evident and undeniable. According to the ICG (2012:25) “the strong orientation towards state sovereignty has hindered accountability within the regional body.” This has led to the creation and development of robust state security institutions that have sometimes become obstacles to human security. The key question to be asked here: is SADC respecting national sovereignty *per se*, or is it respecting the personal sovereignty of a leader of a member state, as in the case of Zimbabwe. Thus it is important that SADC prioritizes the human rights of fellow Africans as distinct from supporting a long-term African leader’s entrenched sense of entitlement to power.

An eighth consideration is that civil society organisations and activists have been excluded from SADC's state-centric orientation, including its mediation processes. According to Petrovic (2012:4) civil society is the only "organized alternative to current political elites, and as such needs to be continuously supported and encouraged by the regional organisations, to be principled, non-partisan and to also take the responsibility for its actions." The dissertation submits for urgent consideration a change in SADC policy in this regard. SADC should encourage civil society to continue its advocacy for promotion of human rights and reforms regardless of the political environment in which they are operating, and they should be encouraged to participate with other stakeholders at an equal level. Therefore citizens, through civil society, "must be empowered to overcome their fear and, based on their own preference, to pressure the government of the day as well as all other stakeholders to adhere to the constitution, be accountable and proceed with the legal and institutional reforms" (Petrovic, 2012:4). Similarly, given that an electorate gains political and social maturity through the participation of civil society organisations in the political process, such participation needs to be encouraged to demand maturity from an incumbent political party and leader to stop "the liberation and anti-oppression narratives and create political discourse that offers genuinely competitive policies aimed at ensuring the political and economic progress of Zimbabwe" (Petrovic, 2012:4).

A final consideration is that SADC should establish effective techniques to address evolving conflict or crisis situations in the region by: "making clear mandates action plans and responsible persons, institutions or departments, so as to encourage a collective regional approach to conflict resolution with defined roles and timeframes" (International Crisis Group, 2012:25). SADC needs to strengthen conflict response mechanisms by: "strengthening its mediation unit by appointing the substantive panel of elders and mediation reference group as well as establishing the mediation support unit" (International Crisis Group, 2012:25). SADC should develop a conflict transformation policy framework, which should also address social, economic and political issues facing member states. To this end SADC member states should work together and come up with sound policies and actions to handle regional conflict. The SADC division caused by the Zimbabwe crisis delayed the mediation process and revealed that SADC is not ready to work collectively. Therefore SADC should increase its mediation role to try and resolve the political and economic crisis in Zimbabwe, as well as potential crises in other member states.

In concluding this dissertation, the author re-iterates her conviction that, in its role as a mediator between disputants in member countries, SADC would greatly benefit by exchanging a form of problem-solving model, namely, quiet diplomacy, for a transformative mediation model of mediation. Intra-state conflicts in Africa, given its history of colonization and apartheid, tend to be deeply rooted in the injustices and inequities of the past. As such, they are not easy to resolve on a superficial level. Transformative mediation involves a deep enquiry into the structures of exploitation and oppression between disputants; it thus would avoid perpetuating the binaries and Manicheanism practiced by imperial powers in Africa and which continue to distort the disposition of political power and economic privilege in post-colonial states, of which Zimbabwe is just one example, albeit a significant example.

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