

**THE ROLE OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC) IN
PROMOTING DEMOCRACY AND GOOD GOVERNANCE IN ZIMBABWE**

By

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201720442076

Submitted in partial fulfillment of the requirements in respect of the Master's
Degree qualification in Governance and Political Transformation in the
Department of Governance and Political Studies in the faculty of the
Humanities at the University of the Free State

May 2020

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DECLARATION

I, Elly Mokoena, declare that, “**THE ROLE OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC) IN PROMOTING DEMOCRACY AND GOOD GOVERNANCE IN ZIMBABWE**” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

.....

SIGNATURE

ELLY MOKOENA

.....

DATE

ACKNOWLEDGEMENTS

I wish to extend my sincere thanks and appreciation to the people who in various ways assisted and supported me in the completion of this project.

- First and foremost, I want to thank the Almighty God for having protected me throughout the journey from the beginning up to the end of this research project. May your name be praised; I'm convinced you are still in charge for both heaven and earth. In Him I will trust.
- Dr Edward Rets'elisitsoe Nko, my supervisor, for having been generous with your time and expertise in guiding, supporting, encouraging and mentoring me. Keep up the good work son of Africa. All the best in your academic life.
- Professor Gillian Hundt thanks for your continued support in my academic endeavour.
- To members of my family for their love, Sesi Linneth you can see, funding my junior degree was not the waste of resources. God bless your seeds. Clive my son thank you. My late mother Mettie, you always wanted us to prioritize education, rest in peace. My father Amos, I don't have much, thanks.
- My immediate family for your support, my wife Fatima. Xitlhangu and Ntlharhi you have always inquired about my progress and wishing me good lucky during my course and research work. Thanks, Ntlharhi for feeding me, the shadow that my mother left behind is you. "Masesi kumbe u nga navela" Farouk you led by example. Thank you very much Vo- Mokoena.
- Dr Joseph Mhlaba, Davuka I salute your commitment in landing a helping hand to the neediest, your time, resources and faith. God bless you.
- Dr C. M. Gouws, your door has always been opened for me for academic advice.
- Dr T. Coetzee, your strictness keeps the work done.
- To the support staff, Mrs Potiegieter, Cathy De Lange and to you all;

Thank you very much for your unwavering support.

ACRONYMS

AAM	Anti-Apartheid Movement
ABC	All Basotho Convention
ACHPR	African Commission on Human and People's Rights
AEC	African Economic Community
ANC	African National Congress
ANNC	African Native National Congress
APP	All People's Party
ASEAN	Association of South East Asian Nations
AU	African Union
BCP	Basotho Congress Party
BNP	Basotho National Party
CEMAC	African Economic and Monetary Community
CM	Council of Ministers
COSATU	Congress of South African Trade Union
CP	Corruption Watch
DC	Democratic Congress
DRC	Democratic Republic of the Congo
EAC	East African Community
ECOWAS	Economic Community of West Africa
EU	European Union
FLS	Front Line States
FP	Freedom Party
FRELEMO	Mozambique Liberation Front

GDP	Gross Domestic Product
GNU	Government of National Unity
GPA	Global Political Agreement
HRW	Human Rights Watch
ICC	International Criminal Court
ICCPR	International Convention on Civil and Political Rights
IAG	Mo Ibrahim Index of African Governance
IIDEA	International Institute for Democracy and Electoral Assistance
IMF	International Monetary Fund
INM	Imbokodvo National Movement
ISDSC	Inter-State Defence and Security Committee
JOMIC	Joint Monitoring and Implementation Committee
LCD	Lesotho Congress for Democracy
MDC	Movement of the Democrati Change
MFP	Marematlou Freedom Party
MPLA	People' Liberation Movement of Angola
MTP	Marematlou Party
NAM	Non-Aligned Movement
NATO	North Atlantic Treaty Organization
NEPAD	New Partnership for Africa's Development
NNCL	Ngwane National Liberatory Congress
NPA	National Prosecuting Authority
OAS	Organization of American States
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development

OIC	Organization of the Islamic Conference
OPDSC	Organ on Politics Defence Security and Cooperation
OSCE	Organization for Security and Cooperation in Europe
PAC	Pan Africanist Congress
PAJA	Promotion of Administrative Act
PF	Patriotic Front
POSA	Public Order Security Act
PUDEMO	People's United Democrati Movement
RDP	Rally of Democracy and Progress
REC	Regional Economic Community
SACP	South African Communist Party
SACU	Southern Africa Customs Union
SADC	Sothern African Development Community
SADCC	Southern African Development Conference
SADCLA	Southern African Development Community Lawyers Association
SANCIPF	South African Committee of the International Press Freedom
SANDC	South African National Defence Force
SFTU	Swaziland Federation of Trade Union
SWAPO	South West People' Organization
TEU	Treaty of European Union
UDHR	Universal Declaration of Human Rights
UG	Unity Government
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme

UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNSE	United Nations Special Envoy
WB	World Bank
WWI	World War One
WWII	World War Two
ZANU-PF	Zimbabwean African National – Patriotic Front
ZAPU	Zimbabwean African People’s Union
ZEC	Zimbabwean Electoral Commission
ZHRL	Zimbabwean Human Rights Lawyers

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CHAPTER ONE

The Background

1.0 Justification

The Southern African Development Community (SADC) is a regional body comprising 15 member states namely Angola, Botswana, Democratic republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Eswatini, United Republic of Tanzania, Zambia, and Zimbabwe. It was founded on the 17th August 1992 (SADC, 1996). Together with other regional bodies such as the Economic Community of West Africa States (ECOWAS), African Economic and Monetary Community of Central Africa (CEMAC) and West African Economic and Monetary Union (WAEMU) and others, the SADC formed a part of the African Union (AU) in the African continent.

The goal of these multilateral organizations is to further socio-economic cooperation and foster regional peace and security. Many regional organizations have a democratic identity and are committed to act in accordance with the promotion of human rights, respecting the rule of law and practicing good governance within Member States.

Good governance promotes freedom from anarchy, and fear of crime to provide stability and security for development and sustainable investment. The rule of law is a strong component of governance and important for sustainable development. It is said that in countries where good governance is present, higher levels of growth and investment through the protection of property rights are achievable (UNDP, 2014:2-6). There is a strong connection between good governance and development or between underdevelopment and poor governance. The researcher is motivated by the desire to see good governance practices and the rule of law taking centre stage in the SADC region. Good governance and democracy are significant components of economic growth and

economic development. This region requires a strong regional body which is firm and decisive in its execution of its founding principles. The researcher is interested in finding out how peace and political stability are being adjudicated by SADC. Therefore, it is of essence to investigate the role of the SADC in promoting democracy and good governance in the region. There are challenges with good governance as well as socio-economic and political issues in some countries within the SADC such as Zimbabwe, Lesotho, Democratic Republic of Congo and Eswatini (formerly Swaziland). The researcher will use Zimbabwe as a case study to evaluate the impact of the SADC in promoting democracy and good governance. The researcher is interested in finding out why Zimbabwe, a SADC member state continues to experience challenges on human rights issues and the rule of law. This study seeks to identify the nature of the challenges facing the SADC in promoting good governance and democratic practices in Zimbabwe.

South Africa has a considerable number of illegal and legal immigrants from SADC countries such as Zimbabwe, Mozambique, Lesotho and other parts of the continent which points to a serious challenge with regards to issues of governance in those countries. The violent xenophobic attacks on foreign nationals of 2008 and 2015 exemplified reasons as to why South Africa cannot play a greater role in promoting the rule of law in the SADC as a leading power bloc in the region (Gwala, 2015:152). Illegal migration is a problem in the region and has a direct link to aspects of governance. The displacement of civilians in other parts of the region which has a direct negative impact on South Africa's political and socio-economic transformation, points to the challenges facing the SADC in general (Carneson, 2011:15).

In the period 2000-2019, there has been poor protection of the human rights of citizens in Zimbabwe and the kingdom of Lesotho has been characterized by no prospects of political stability in the near future, with Eswatini remaining the only absolute monarchy in the SADC region with a poor human rights protection record. In the DRC, national elections had to be postponed by more than two years. This was because former President Joseph Kabila made a decision to cling to power exceeding his two

constitutionally permitted terms in 2016. This sparked a national political crisis resulting in countrywide protests (ACCORD, 2017: 14).

1.1 Introduction

African countries have experienced socio-economic and political challenges since gaining independence in the early 1950s. In reality one could argue whether all these woes are related to governance and the kind of leaders entrusted with the responsibility to drive and deliver the priorities of these countries. Many governments became autocratic and those which were in the transition to democracy reverted to dictatorship. The characteristics of an autocratic state are known to be monopolistic control of the media, a culture of martial solidarity in which violence and danger are ritually celebrated in party uniform. Autocracy is a concept deeply rooted in the horror of modern war, revolution, terror, genocide, and since 1945, the threat of nuclear power (Baehr, 2005). The study will look at the position of the SADC in promoting good governance and democracy in Zimbabwe. The concept of good governance includes free and fair elections, democratic rule and respect for the civil and political rights of citizens. Democracy and good governance are inseparable because the two concepts depend on each other in order to function better. Bratton and Penar, (2018) posit that the promotion of democracy “is an aspect of foreign policy in which an external actor encourages progress on democracy by shaping the rules by which politics is conducted in a target state. Beyond free and fair elections under universal suffrage, democratic rules include respect for civil and political rights and the rule of law” (Bratton and Penar 2018:4). According to the United Nations Development Program (UNDP, 2007) governance means “participatory, transparent, accountability and the promotion of the rule of law”. Good governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and most vulnerable are heard in decision making over the allocation of developmental resources”

There seem to be serious challenges to democratic practices and good governance in the SADC countries of the Democratic Republic of Congo, Lesotho, Eswatini and Zimbabwe. These challenges are leading to economic hardships, disappearance of the rule of law, and political instability resulting in serious social austerity with devastating effects for the citizens. Although there is what King Mswati called a monarchical democracy in Eswatini, the people of Eswatini are still governed by a monarch with absolute powers to rule. The King as Head of State holds supreme executive, legislative and judicial powers (World Bank, 2018:5). Lesotho has continued to experience political instability. Between 2015 and 2016, political violence in the Democratic Republic of Congo precipitated the displacement of about 4,5 million civilians and 2 million children suffered from severe acute malnutrition according to the UN estimates (Visser and Fenning, 2018: 2). During the same period security forces and militias killed thousands of people in the DRC. The above highlights the conditions and challenges that are being faced by SADC member states.

Since the year 2000, Zimbabwe as one of the SADC member states has experienced a number of setbacks ranging from political instability, lack of respect for the rule of law, economic mismanagement, serious challenges with governance strategy, and disappearance of fair and transparent principles in the electoral procedures which eventually led to serious economic crisis. All these problems emanated from concerns around issues of governance and the political behaviour of the ruling ZANU-PF in Zimbabwe. Moreover, Zimbabwe also experienced the mass migration of its citizens. They moved to other SADC countries including South Africa, Botswana and other foreign countries. The mass migration of people in the Democratic Republic of the Congo and Zimbabwe is exacerbated by continuous political instability (Segatti and Landau 2011:36).

Zimbabwe has since the year 2000 been on the world news for socio-economic and political reasons. When the ZANU-PF regime initiated a land reform programme, this was done violently against white farmers and farm workers in a manner that was detrimental to good governance and democratic practices. It is estimated that during the land invasion about 150 people and 10 white commercial farmers lost their lives in violence perpetrated by supporters of the ruling ZANU-PF. In 2008, weeks before the elections in Zimbabwe, ZANU-PF unleashed a wave of violence against its opponents. Nearly 100 MDC supporters were killed, 50 000 people from rural areas were displaced, and many homes were burned down by ZANU-PF militia, Zimbabwe National Army, National Police and the Central Intelligence Organisation (Makumbe, 2009: 5 &6)

During the tenth annual conference of the Southern African Development Community Lawyers Association, Chawe Mpande Chulu, a Management Consultant, quoted President Barack Obama. Her presentation revolved around the statement that Africa does not need strong men; it needs strong institutions (Gottschalk, 2016: 101). This was an acknowledgement that some governments have not done enough to develop strong legal institutions to promote the rule of law and good governance practices within their respective countries in the SADC region.

Migration continues to be a challenge to good governance in the SADC region. South Africa is disproportionately affected by both legal and illegal migration, with immigrants from SADC countries and beyond such as Zimbabwe, Nigeria, Somalia, India, Pakistan and other parts of the world. It points to a serious challenge with regards to socio-economic and political issues in these countries.

Gottschalk (2016:103) argued that “good governance, in the main, takes place in an atmosphere that is democratic.” However, it is imperative to note that not all democratic governments practice good governance. For example, the Zambian government is

democratic but the Zambian people complain of corruption (Resnick, 2016: 111). It remains a fact that towards the end of the 20th century most African countries, including SADC countries began to accept democracy as one of the best forms of political systems. Nearly the entire African continent and the SADC in particular, have made tremendous strides towards multi-party democratic governance. However, good governance is taken and generally accepted as meaningful acceptance and operationalisation of free market economic policies, including accountability and transparency on decision-making, and at the political management level, democratisation of multi-party systems and commitment to free elections.

In light of all these it should be acknowledged that the concept of democracy is very broad and should be understood from a particular perspective, especially the type of democracy that is practised in the African continent. By and large, no matter how broad the concept of democracy is, many governments in the world have adopted it as the most acceptable form of political system. It is widely accepted that the SADC region has undergone a democratic transition away from the totalitarian rule of the past characterized by one-man rule, one-party rule and even military take-overs of the 1960s and 1980s. Although some SADC countries have made commendable progress in this regard, the region still faces a plethora of democratic deficit that needs serious attention if democratic consolidation is to occur and endure.

SADC countries like Zimbabwe face many challenges relating to development, economic, trade, education health, diplomatic, defence, security, and political instability (Berg, 2011: 111). Some of these challenges cannot be tackled by individual members. Cattle diseases and organized-crime gangs know no boundaries. War in one country can suck in its neighbours and damage their economies. The sustainable development that trade can bring is threatened by the existence of different product standards and tariff regimes, weak customs infrastructure and poor roads.

The socio-economic and political and security cooperation aims of the SADC are equally wide-ranging, and are intended to address the various common challenges. One significant challenge is that member states also participate in other regional economic, political and security cooperation schemes that may compete with or undermine SADC's aims. For example, both South Africa and Botswana belong to the Southern Africa Customs Union, Zambia is part of the Common Market for Eastern and Southern Africa, and Tanzania is a member of the East African Community (Forester, 2010: 141). According to Human Rights Watch (HRW, 2015: 19), the SADC has been criticised for its laxity on making human rights compliance within its member states a priority.

Good governance has the potential to encourage investor confidence which translates into economic growth. As a result, economic growth can lead to economic development. In a country where there is economic development, political stability is attainable. The researcher believes that the citizens within the SADC deserve better. Despite external factors, the political system of government also plays a fundamental role when it comes to aspects of good governance. The big question should be how good governance is being practised in the SADC member states and in, Zimbabwe in particular? Does the SADC monitor the implementation of democracy in the region? If so, why does Zimbabwe continue to experience socio-economic and political instability which has left many people being displaced from their homes to other parts of the region in the recent past?

In this study it is important to highlight the principles of good governance and democratic practices as these concepts form the core elements for this research project. They are presented as follows, the freedom of association, the right to universal franchise, equality before the law, fixed term of office for governments, regular conducting of elections with international observer monitoring, limitation of the term of office of presidents, respect for the rule of law and the constitution, free political activity including the right of opposition political parties to operate and the separation of powers

of the three layers of government namely, the legislative assembly, the executive and the judiciary (Botha, 2005:40).

In the final analysis the findings of this study should be able to establish whether the SADC is making progress in promoting good governance in Zimbabwe and other parts of the region. Recommendations of the study will be used as the point of reference for the SADC in its endeavour towards the consolidation of democracy and the improvement of good governance in the region.

1.2 Problem statement

It seems there is a serious challenge around issues of democracy and good governance in the SADC region. Since the year 2000 some SADC countries including Zimbabwe have experienced socio-economic problems and political instability. This has led to the displacement and migration of civilians from their motherlands to other SADC countries and elsewhere. These social, economic and political conditions have in practical terms continued to deteriorate in Zimbabwe particularly.

The study confronts the effectiveness of the role of the SADC in the promotion of good governance and democracy in the region through a case study of Zimbabwe. Between the years 2000 and 2017 Zimbabwe became a focal point worldwide with challenges ranging from disputed election results, land reform crisis and forceful removal of urban dwellers in what was called Operation “Murambatsvina”. These three challenges can be used to test the effectiveness of SADC as a regional organ in handling domestic problems of its member states.

The ineffectiveness of human rights institutions and the lack of respect for human rights of citizens entirely lead to political instability and political upheavals in the region. It seems all these challenges manifest themselves as the result of poor governance and

the absence of democratic practices within the member states of SADC in general and Zimbabwe in particular. Moreover, the study will also identify the nature of challenges facing the SADC and its organs in promoting democratic practices and good governance in Zimbabwe.

As a regional body, what is it that SADC is doing on issues relating to the promotion of the rule of law and the protection of human rights of citizens within the member states? These two constitute good governance in order to achieve political stability and socio-economic development of citizens, including the poor rural communities. (Agere, 2000: 49).The following are some of the good governance principles that governments could apply: accountability, representativeness, transparency, public participation and consultation, in which way governments become accountable to their citizens while ensuring that decision making involves public participation. This further implies that governments should consult with the public to ensure that its projects are aligned to their interests (Agere, 2000:49).

In Africa, poor governance has led to poor economic growth and it is manifested through corruption, political instability, ineffective rule of law and institutions. Some African countries went through governance failures and corruption at some point in time, but their governance capacity has enabled them to recover and ensure the maintenance of rapid growth performance through improving governance and reducing corruption. However, this could not have happened if governance capacity was poor and non-sustainable (Makolo and Resta, 2005: 122).

1.3 Aims and Objectives of the study

Governance has increasingly become a major instrument for the successful growth performance and development purposes in the world and has been scrutinized by scholars as well as international institutions such as the World Bank and International

Monetary Fund (IMF). In Africa, governance has been a concern since in the 1960s when some African countries got their independence from colonial masters (Khan, 2006: 69). There is strong evidence that governance and institutions affect growth performance of the African countries (World Bank, 2005). Here is a common set of governance principles which institutions or countries should follow, whilst linked to the country's specific context. Basically, there is an understanding that it involves the achievement of Millennium Development goals, a Poverty Reduction Strategy, Sustainable Development and Wealth Creation. Successful developed countries have shown that their superior performance is due to good governance practices (Kaufmann, 2005: 88).

Against this background, the study aims to establish what has hindered the SADC process of attaining good governance within SADC countries, with a special focus on Zimbabwe. The fundamental role of attaining good governance is linked to SADC functional objectives and the related evidence on the ground concerning its engagement within SADC countries. The study also aims to establish what kind of recommendations could be developed for ensuring that it becomes an effective institution of good governance in the SADC region.

1.3.1 Key research questions

TA key research question of this study is: -

- ***Does the SADC political structure support the promotion of democracy and good governance in Zimbabwe?***

In the process of conducting this investigation the study seeks to identify challenges facing the SADC in promoting democracy and good governance in Zimbabwe. This study also seeks to understand the strategies that already exist in fighting poor democratic principles in governments spearheaded by SADC.

Another key research question is:

- How far has the SADC gone in terms of promoting good governance and democracy in the region?

In this case study of Zimbabwe, the focus will be on the role that SADC has played in promoting democracy and good governance as a regional body. Historically, Zimbabwe used to be the food basket of the Southern African region and its late former President Robert Mugabe was celebrated as an icon of liberation and socio-economic prosperity in his country. The agricultural sector used to play a critical economic role in Zimbabwe. In the past 10 years the sector used to contribute about 20% of the country's GDP, but its contribution has significantly declined in recent years. Most important, about two thirds of Zimbabweans are employed in the sector and they depend on it directly or indirectly (World Bank, 2019). This has raised a cause for concern in the role of SADC in the promotion of good governance within its member states especially in Zimbabwe.

1.4 Objectives of the study

The study seeks to evaluate the role played by SADC as a regional body in promoting democracy and good governance in Zimbabwe. The period under investigation will begin in the year 2000 up to when the founding president, the late Robert Mugabe was forced to step down by the army in November 2017. The objectives of this study will be:

- Finding to what extent the SADC's role of promoting good governance and stability in the region can be considered effective.
- Exploring the successes and failures of SADC in promoting good governance and democracy in Zimbabwe.
- Exploring the impact of socio-economic and political challenges of the Zimbabwean citizens.

- Establishing why Zimbabwe continues to experience challenges on human rights issues and the rule of law in the presence of SADC.
- Identifying the nature of challenges faced by SADC and its organs in promoting democracy and good governance in Zimbabwe.

The overall aim of this study is to give an overview of the role the SADC has played on issues of governance in Zimbabwe. This is done in the context of the current governance debate within and between African countries for sustainable development, wealth creation and poverty reduction in conjunction with the governance initiatives being undertaken in the region.

The focus of this study is to determine the extent of SADC's contribution in the promotion of democracy and good governance in Zimbabwe. Good governance depends on the accountability of public servants and that of politicians. Governments should be accountable to the electorate. They are accountable to their mandates and their constituencies (Berg, 2011: 91). They should deliver services effectively and transparently with accountability. The rule of law is an important aspect in modern democratic societies. A culture of law abidingness cannot be nurtured in societies if the governments themselves are not law abiding (Forester, 2010: 72). It is important to make good decisions but it is necessary to ensure that they are within the existing legal framework. Most models of good governance advocate responsiveness to challenges facing the people (Paul, 2016: 77). Those responsible must be proactive so as to anticipate and act. Good governance is the anticipation of crisis and preparation in advance. Moreover, that is why most governments are often accused of wasteful expenditure (Rotberg, 2014: 49).

1.5 Research Methodology

In defining methodology Kant (2015:10) posits that:

“The term methodology generally refers to the study of logical rules and procedures for presenting and evaluating knowledge claims. These rules and procedures concern science in general. They are directed at the formal aspects of scientific knowledge. Methodology is often erroneously equated with (research) methods and techniques in the literature.”

Methods are logical procedures used in investigating phenomena, for example, the statistical, comparative and case study methods. It is important to note that methods by themselves do not establish the truth. The scientific method and particular methods only assist researchers in establishing whether their observations are consistent with what they already accept as the truth about some phenomenon.

Therefore, for the purpose of this study, qualitative research and documentary analysis will be used to clearly understand the origins of the SADC and its historical mission and operations leading into the 21st century.

1.5.1 Interpretive paradigm

This study will use the interpretivism paradigm in order to investigate the successes and failures of SADC in promoting good governance in the region. Interpretivism has been influenced by several intellectual traditions. Hermeneutics as one of those will be employed to investigate the phenomenon under study (Du plooy, 2014:28) and will be used to interpret the actions of the SADC in promoting democracy and good governance in the region.

Interpretive research derives social constructs from the field by conducting an in-depth examination of the phenomenon of interest. According to Leedy and Ormrod (2009: 99), interpretivists assume that knowledge and meaning are acts of interpretation. According to this view the assumption is that there is no objective knowledge which is independent

of thinking as well as reasoning humans. Cresswell (2009: 66) argues that the premise of interpretive researchers is that access to reality (whether given or socially constructed) is only through social constructions such as language, consciousness and shared meanings. It attempts to understand phenomena through the meanings that people assign to them (Mouton, 2003: 199). The interpretivist paradigm stresses the need to put analysis in context. The interpretive paradigm is concerned with understanding the world as it is from the subjective experiences of individuals. Hence the study will use interpretivism to investigate challenges facing the SADC in promoting democracy and good governance.

MacMillan and Schumacher (2010: 201) present three different uses of theory in interpretive case studies: theory guiding the design and collection of data; theory as an iterative process of data collection and analysis; and theory as an outcome of a case study. The use of theory as an iterative process between data collection and analysis will be applied in this research study. According to (Mannay, 2013: 98), interpretivism is not a single paradigm; it is in fact a large family of diverse paradigms. The philosophical base of interpretive research is hermeneutics and phenomenology (Cresswell, 2009: 140). Hermeneutics is a major branch of interpretive philosophy. Hermeneutics can be treated as both an underlying philosophy and a specific mode of analysis (Mouton, 2003: 111).

As a philosophical approach to human understanding, hermeneutics provides a philosophical grounding for interpretivism. As a mode of analysis, it suggests a way of understanding the meaning or trying to make sense of textual data which may be unclear in one way or another. Most importantly, interpretative approach will be used as it has been developed as a reaction to the shortcomings and limitations of positivism, specifically in its application to the social sciences (Du Plooy, 2014:27). This is because the main idea behind the paradigm of interpretivism is that people are fundamentally different from objects. It is therefore, in line with this understanding that the broader objectives of the study is to examine the effectiveness of SADC in relation with the promotion of good governance and democracy in the region. Interpretivists have

presented a realistic argument in that, it does not make sense to study people in the laboratory settings while in actual fact people do not live in the laboratories, and as they are always influenced by the things that are happening in their environment (Du Plooy, 2014:27).

For the purpose of this study Zimbabwe will be focused on as one of the SADC states facing serious political and economic crisis emanating from governance, the rule of law and the democratic governance principles in the country.

1.5.2 Qualitative Methodology

This study seeks to investigate the challenges facing the SADC in promoting good governance in the region, in particular, Zimbabwe. It will therefore require an in-depth investigation into the existing literature about the problem as opposed to just looking at the statistical solutions. Therefore, the nature of this study will use qualitative methods. Du Plooy (2014:173) states that "...qualitative research deals with the underlying qualities of subjective experiences and the meaning associated with phenomena". Unlike quantitative methods, qualitative research is not about numbers but understanding meaning. For the purpose of data collection, the researcher will use academic articles, published reports, policy documents and journals presented to SADC summits and conferences. The researcher will also consider newspaper articles, texts and academic books, scholarly journals, SADC conference and summit documents on the related topic under study. As a point of departure, the SADC Treaty and its Organs will be examined to establish progress in what the SADC has committed itself to achieve.

Qualitative research aims at gaining a deep understanding of a specific organisation or event. It also aims to give an explicit rendering of structure, order and broad patterns

found among a group of participants. It generates data about human groups in social settings, and qualitative research aims to find a better understanding through first-hand experience, truthful reporting, and documenting or recording actual conversations.

For the purposes of this study the qualitative research methods will be employed to gain a deep understanding of a specific organisation, in this case the SADC.

1.5.3 Applied Research

The nature of the problem under study dictates that applied research should form part of the approach in this investigation. It is said that the aim of applied research is to investigate practical issues in order to find solutions that can be put into practice. The fact that many people in the SADC region have been forced to migrate to other parts of the region, in particular South Africa shows that there is a problem with issues of governance in SADC member states particularly in Zimbabwe. Applied research will allow the study to examine strengths and weaknesses of SADC Organs and recommend practical intervention to be made in order to try and resolve the identified problems with regard to the many challenges that Zimbabwe continues to experience in the SADC region.

If the SADC needs to improve in its role towards monitoring the implementation of democracy and good governance, applied research will assist through developing policy recommendations and possible strategies. As a result, action research will be applied to assist the investigation and propose actions that will be aimed to improve the lives of the affected innocent civilians within the region socially, economically and politically. Applied research is purpose driven or pragmatic. Applied research can assist in recommending a clear road map in finding everlasting solutions towards good

governance and democracy in the SADC region. Therefore, it becomes relevant in this study.

1.6 Research design (Lay-out)

Chapter One: Introduction

Chapter one provides an introduction to the study which sets out the rationale statement of the problem, the research aims and objectives and the research methodology.

Chapter Two: Conceptual and theoretical framework

This chapter examines the concepts of a region and regionalism in order to understand the history of the SADC. Democracy and good governance are explored with the view of examining its application in the SADC region. The principles, measures, and requirements for good governance and democracy, are reviewed. In addition, the relationship between democracy and good governance is examined in this chapter.

Chapter Three: History of political development of selected SADC countries

This chapter tracks the history of the political development of five SADC countries namely Zimbabwe, South Africa, Namibia, Lesotho and Eswatini. This is done for the purpose of understanding the nature of political developments with regard to the systems of government in existence in those countries. Their systems of governance explore the current political instability in SADC and the role of colonial legacy and what the SADC is doing or not doing to promote democracy and good governance. The

causes of the Zimbabwean conflict are investigated in this chapter as is the formation of SADC and its aims and objectives.

Chapter Four: Trends of regional intervention and non-intervention

This chapter presents the trends of regional intervention and non-intervention in member states where the democratic principles are found to have been violated. This is done to find out whether SADC has a democratic identity and the democratic clause as a regional organisation. Furthermore, this chapter is also interested in the role of the leading power bloc in influencing the actions of the regional body on interventions or non-interventions against member states where the principles of democracy were under attack. In addition this chapter also presents the power of the third party in the affairs of the regional organization in ensuring the protection of the democratic principles within member states. Lastly, the intervention of the EU and the SADC in the affairs of European member states and Southern African states respectively is presented in this chapter.

Chapter Five: Evaluation of SADC intervention in Zimbabwe

In this chapter an assessment of the involvement of the SADC in Zimbabwe is undertaken. This evaluation will demonstrate the successes and failures of SADC in its mediation mission in Zimbabwe. In order to achieve this, five dimensions have been identified which are effectiveness, efficiency, sustainability, reliability, and the value of SADC continuing to keep a close watch in Zimbabwe. These dimensions serve as the yardstick of assessing the outcomes of intervention and mechanisms employed by SADC in dealing with the Zimbabwean conflict.

Chapter Six: Key findings, lessons learned and recommendations

In this concluding chapter, the summary of all the chapters is presented. Based on the dimensions that have been identified in chapter five, key findings are presented along with the lessons learned from this study. Lastly, the study presents recommendations based on its key findings and topics for future research.

CHAPTER TWO

Conceptualization and the Theoretical Framework

2.0. Introduction

Chapter one provided a background and introduction into the study. A rationale was also stated, together with the research aims and objectives. It laid a foundation for research methodology to be used in this study.

In this chapter, an examination of the theoretical framework is outlined, with a view to examining its application in Zimbabwe, a country within the SADC region. The principles, measures of, and requirements for good governance and democracy will be reviewed. The chapter has identified two fundamental concepts which serve as the building blocks of the study. The SADCs commitment to the promotion of good governance and democracy should be critically evaluated based on the conceptualisation and the theoretical framework to be developed in this chapter. However, clarity should be given on the meaning of a region, regionalism, regional integration theory and governance. In addition, the concepts of democratization and good governance the types and theories of democracy will be reviewed.

2.1. The concept of Region

The concept of a region like many other concepts in the political discipline has been contested by many scholars with regard to what it really means. It has been debated that in the main the definition of what constitutes a region may vary according to the particular phenomena under investigation. Moreover, the theoretical orientations of scholars contribute to the continued debate towards developing a common understanding about an appropriate definition of a region. The shortcomings in the

definition are exacerbated by the different scholarly approaches such as, that one should know the contours of a region. Other scholars define regions in terms of the existence of formal, cooperative architecture that delineates its boundaries or classify geopolitical spaces by cultural or religious considerations.

Cline et al (2011) postulate that Volgy and Rhamey (2014:6) claim to have attempted to create a conceptual approach with empirical criteria for what constitutes a region and the states that make up its population, have adopted the approach of which they think does address the shortcomings. Volgy and Rhamey (2014:6) describe a region as “cluster of geographically proximate states with similar patterns of political, economic, and cultural interactions”.

The most important feature here is the required geographically proximate component for membership. However, it is crucial to note that geographic proximity is highly contested. For instance, Morocco’s dominant language is Arabic and has long been considered the most Western-oriented society, but it is not an Arab country. Instead Morocco is an African state and recently joined the AU in 2017. Similarly, according to (Mainwaring and Perez-Linan, 2006:3)

“a region is when we use this concept as it is understood in common parlance, to refer to geographically bounded parts of the world that are commonly viewed as occupying the same large part of the world”.

Mainwaring and Perez-Linan (2006) further present a classical example to say that Latin America, Europe, Africa, the Middle East, and Asia are forming regions of the world. In agreement with the above, Nye (1968) is cited in (Mainwaring and Perez-Linan, 2006) when he posits that a region can be defined as a limited number of states linked together by a geographical relationship and by a degree of mutual interdependence. Mutual interaction can well relate to challenges ranging from common socio-economic

and political conditions to cultural interdependency. In this regard language and historical attachments can play a pivotal role.

However, this is not comprehensive because while geographical contiguity is crucial it is not always the case where regional organisations are established on the basis of being equidistant to one another. In support of this view, Gaudry and Abdul, (2016:3) argued that geographic proximity is not always a prerequisite for regional formations because sometimes regions are socially constructed resulting in the integration of states that do not form part of the same geographical contiguous.

Similarly, with what is stated above, accepting that in terms of Chapter VIII of the UN charter no precise definition is provided of regional arrangements and agencies, the former United Nations (UN) Secretary General, Boutros-Ghali pointed out that the Charter allows as a result flexibility for undertakings by state groupings. The former Secretary General further argued against any set standard or rigid framework. What has been emphasized here is the level of cooperation and the adaptability to the realities of each case with flexibility and creativity. He further said that two regions or situations are not the same. What is critical is that actions and efforts are carried out within the framework and principles of the Charter, the relationship with the UN and governed by Chapter VIII (Henrikson, 1996:59). Despite the importance of territorial proximity it is not always the case that regional formations are constructed by states put together in a similar geographic location.

In addition, Zwanenburg, (2006:488) in Mashimbye (2017:10) points out that “The United Nations (UN) Charter states that regional organizations include treaty-based organisations and could be created for serving a variety of purposes of security, economic and or political cooperation.” The basic example of this could be Tanzania which is situated in the eastern and not southern part of Africa but is a member of

SADC unit. This becomes the most practical example that suggests regions are partly constructed, and not merely geographic.

2.2. Understanding Regionalism

According to Soderbaum (2011:3) regionalism would mean “the body of ideas, values and objectives that contribute to the creation, maintenance or modification of a particular region or type of the world order”. Regionalism is commonly associated with legal policy and projects which are aimed at institution-building. Furthermore, regionalism brings together agents to a specific project that is limited spatially or socially but not in time. Regionalism is often confused with regionalization. Regionalization refers to the process of forming a region.

There is an on-going debate on the distinguishing features of the old and the new regionalism or what has been termed the early and more recent discourse on regionalism. The early debate encompasses research conducted between 1950s and 1970s with regional integration as the keyword. These researchers came from Europe with the exception of Africa and Latin America. Most researchers dealt with European integration. Ernst Haas and Karl Deutsch are well known leading exponents of the European regionalism. Therefore, the year 1985 constitutes the period of the emergence of new regionalism on a global setting. This emergency was seen as the wave that represented a revival of protectionism or neo-mercantilism. The most outspoken proponents of this new regionalism strongly believed that regionalism should be understood from exogenous and endogenous perspectives. It seems that what has been new here is that the former presents regionalization and globalization as interwoven articulates of global transformation, while the latter believed that globalization is shaped from within by a large number of actors (Soderbaum, 2011:4). In the main, regionalism refers to intensifying political, social and economic processes and collaboration among states and other actors in a particular geographic or social setting, which can be developed either from below or from above.

2.3. Regional Integration Theory

The essence of regional integration theory puts into perspective the establishment and the development of the regional international organizations. The international organizations are founded based on four pillars and fundamental attributes. These are state members, organizational capacity, multilateralism and geographical proximity (Schimmelfennig, 2018:4). This suggests that regional and international organizations have states as their members. Secondly, they operate like professional entities in their own headquarters with hired staff. They have regular meetings of states and have the capacity to make decisions and are able to act on them. Thirdly, regional and international organizations consist of more than two member states. Lastly, their membership could be geographically proximate and limited.

Regional international theory started in the 1950s and 1960s with a broad comparative regional and organizational outlook, but it has since shifted focus to European integration and European Union. This study briefly examines two regional integration theories which are neo-fuctionalists and post-fuctionalists. Neo-fuctionalists do not believe that governments alone are able to take charge of the integration process. Hence they argue that transnational corporations and lobby groups as well as supranational actors are empowered by the integration process. As a result, these groupings have the potential to shape the integration process in their own interests. The neo-fuctionalists further argued that the integration process has a variety of spill overs and path-dependency which can push integration outside the intergovernmental bargain. Against this backdrop, Liebet Hooghe and Marks (2009) formulated a post-fuctionalist theory of European integration focusing on public opinion, party systems, and electoral politics as necessary conditions for integration. In addition, post-fuctionalism argues that regional integration may create a backlash at domestic level and undermine the integration process eventually. Regional integration may create

losers at home who fear for their own welfare and also for their national self-determination and may bolsters integration-sceptic parties who mobilize voters (Schimmelfennig, 2018:3-9). The current challenges in the European Union which led to the withdrawal of Britain from the organization can serve as a good example of this argument to a certain extent.

In Africa the idea of regional integration emerged in the late 1960s during the continued process of decolonization. This came at a time when the colonial legacy resembled the configuration of the geographically artificial states, great ethno-linguistic diversity putting more burden on the continent, resulted in conflicts due to high trade tariffs and communication costs. The Lagos Action Plan included the first proposed phase of regional integration and was signed by heads of states in 1980 as the initiative of the Organization for African Unity (OAU). The proposed framework aimed at achieving African integration into Pan-African unity and continental industrialization in a united economy with the division of the continent into the Regional African Community for the realization of the African Economic Community (De Melo and Tsikata, 2014:4). The fundamental objective was to set up a Continental Free Trade Agreement for the purpose of African economic integration. It is in line with this background that when the SADC was established in 1992 it prioritized regional economic integration of the Southern region.

Similarly, in 2012, at the AU Kigali, summit, the Ministers of Trade recommended the adoption of an economic strategy to fast-track the regional integration agenda. As a result, they committed themselves to establish a Continental Free Trade Area by 2017 (Mewel and Karingji, 2012:4). States become members of regional bodies when they sign founding treaties which outline the historical background underpinned by mission and vision statements. In Africa, in the past two decades the focus has been on the creation of regional free trade agreements in order to harmonise the political economies of Africa.

Lastly, despite the fact that in general parlance regions are depicted to be contiguous of geographical areas, international regional organizations are established from both within and without geographical contiguous areas. Regional organizations founded on common economic, cultural, and environmental backgrounds usually conform to regional contiguity while many regional organisations based on security factors have members who do not share borders with other member countries hence they are geographically non-contiguous. For example, the Organisation of the Islamic Conference (OIC) is based on identity rather than on geographical attachment (Gaudry & Abdul, 2016:2). Therefore, the SADC forms part of the regional bloc that is non-contiguous as opposed to geographically contiguous with the inclusion of Tanzania and the DRC outside the Southern African region.

2.3.1 The role and functions of International Regional Organisations

The role and functions of regional organisations is to promote cooperation at the level of political, economic and social stability within the parameters of a particular regional setting. A decade or so after World War II the world witnessed the emergence of a considerable number of international regional organisations. These included the Arab League in 1945; the Pacific Community in 1947; the Organisation of American States (OAS) in 1948; the Council of Europe in 1947; the North Atlantic Treaty Organisation (NATO) in 1949; the Western European Union in 1954; the Organisation of African Unity (now African Union) in 1963; and the Association of South East Asian Nations (ASEAN) in 1967 (Gaudry and Abdul, 2017:2).

Each and every regional organization established common objectives which bound them together. Regional organisations based on alliance are usually aimed at defence and attack using their military strength against a common enemy both internally and externally. No high risk organisation or enemy state can participate in this type of

regional organisations. The classical example of such regional organisations could be NATO and ASEAN.

Collective security based organisations have one primary objective which is to prevent and contain acts of aggression among its members. The suitable examples of these are United Nations-based organisations as well as the African Union, Organization of American States (OAS), and the Organisation for Security and Co-operation in Europe (OSCE). These types of regional organizations would pursue peaceful settlement of inter-states disputes (Gaudry and Abdul, 2017:3). It is for this reason that during and after the World War II, aspects of security, human rights and democracy were the underlying principles for establishing regional organisations. After the end of the Cold War, regional groupings for trade and economic cooperation became a fundamental international trend. As a result a number of Economic Cooperation Organisations were formed such as the South Asian Association for Regional Cooperation in 1985 and the Central Integrations System in 1991 and many more. Therefore, for the purpose of the study, it is worth mentioning that the SADC was also founded in this wider context (Gaudry and Abdul, 2016:3).

Regional organisations have a critical role to play if the United Nations is to succeed in the attainment of its global goals. These objectives are to maintain peace and security throughout the world and to maintain friendly relations among the nations. Regional organisations can work together with member states to design an action plan for any developmental role as well as ensuring and monitoring the implementation of such programs for sustainable development. For instance, the Economic Community of West African States (ECOWAS) is working very hard to unite nations facing common challenges and problems spilling over from one country to its neighbours and thus looking for multilateral solutions, to organised crime, small arms proliferation and economic cooperation. Regional organisations operate on protocols, organs, troika and treaties. Similarly, to ECOWAS, when the SADC was founded in 1992 it set out an

agenda for promoting interdependence and integration as well as recognition of sovereign equality of member states, solidarity, peace, human rights and democracy. Decisions are carried out on a consensus based approach. This is done through negotiations and dialogue. SADC also has national committees that include civil society based organisations (Moller, 2009:5-7).

In addition, the regional stakeholders have developed much interest in managing domestic conflicts within member states and can provide skills ranging from legitimacy, local knowledge, and experience in the form of human resources. However, at times they experience setbacks, which limit their efforts in the exercise of impartiality such as the lack of proper mandate to forge a common approach, limited resources and organizational dynamics (Alagapa, 1998:2). The role of the international organisations is designed in such a manner that no single state can dominate and dictate its terms for individual interest. Although this is documented, in practical terms leading regional power blocs do influence the regional direction. Platforms are created for members to engage, argue, disagree or collaborate. Regional organisations serve as vanguard of conflict management and peace keeping. For example, Laurent Kabila turned to the SADC for support in 1998 when his country experienced the civil war.

Lastly, sometimes a distinction is made to dichotomise regional organisations from international organisations depending on the nature of the assignment. For instance, when South Africa mediated in Lesotho in 2014 some observers called it a regional mandate. But when South Africa did the same in the Democratic Republic of the Congo in 1998, certain people referred to it as an international engagement. Regional organisations are established as the result of inter-state conventions in pursuit of the common interests of all member states. The formation of regions can take two forms. It could be by geographical proximity of states or states that are not contiguous but agree to the social construction of a region.

2.4 Theories of democratization

According to (Botha, 2005:100), the concept of democratization “refers to the transition from an authoritarian regime (closed hegemony) to a democratic regime”. Several theories will be put forward which seek to explain the circumstances that can be deployed to advance or to preclude the process of democratization. The said theories can be divided into macro-structural theories and micro-behavioural theories. The objective of the former theories would be to emphasise the conditions for democracy while the latter focuses on the role of political actors and the process of transition (Botha, 2005:101).

The function of macro-structural theories is to pay critical attention to the circumstances, conditions, factors and environment under which transition to democracy can take its course. Furthermore, these theories are biased towards the significance of socio-economic, cultural and international conditions in a process of democratization. In actual fact, these theories in terms of their outlook and approach to the process of democratization are broad and comprehensive. In an attempt to see democracy thrive, these theories have presented a significant contribution to identifying the modalities necessary for a successful transition to democracy. However, the choices of the political actors are from time to time facilitated or constrained by these structural factors. On the other hand, micro-behavioural theories focus much attention on the strategic behaviour of political actors and their tendency to manipulate their own as well as their political opponents (Botha: 2005:101). In the recent past, from a global point of view, democracy has become increasingly the preferred and acceptable regime form. It is viewed as the only system that seeks to promote the realization of the self-determination of individuals, thereby changing the lives of the masses of the people for the better (Botha, 2005: 103).

According to Thomas Jefferson “democratization is not a one-off event, but a process which must be maintained if a country can be said to be democratic” (Francis, 2013:179). This would mean that the process of democratization comes with the installation of a new government with possibilities of an open approach and a radical programme of legislation that will raise the standard of choices among its citizens. In the final analysis the consolidation of democracy in relation to the procedures of democratic governments needs to become customary and not changeable (Francis, 2013:179).

The quest for democratization in the developing world has been influenced by the fall of communism in the Eastern European block. However, it should be noted that the pressure for democratization had already showed some remarkable features in the developing world long before 1989. This argument is substantiated by the fact that the fall of the Berlin Wall in 1989, came at a time when most countries in Latin America had already decided on the constitutional governing system and more than half of African countries had held competitive multi-party elections. However, it is important to indicate that the mere existence of the multi-party elections does not mean that truly competitive politics are guaranteed or that the interests of the neediest will be addressed. Consequently, the democratization process may result in a system in which democracy in practical terms is defined in very limited terms. The example of this assertion is that equal political rights may exist on paper but the fundamental aspirations of the people which are social and economic needs may need to be protected from political interference (Francis, 2013:180).

2.4.1 Theories of Democracy

The roots of democracy can be traced back to ancient periods but as we know it today democracy has developed from the west as a reaction to absolutism and foreign domination. The acceptance and endorsement of democracy in the United States, France and United Kingdom basically put the concept of democracy on the world map

and contributed to the recent model of democracy and its significance around the world. The emergence of democracy in these states took different shapes. In the United Kingdom democratisation happened largely along the lines of reform, taking place over a long period of time which was characterised by a monarchical trend of authority. This exercise finally culminated in the United Kingdom transforming into a constitutional monarchy. Therefore, democracy in the United Kingdom is a combination of a fusion between the ancient monarchical and modern democratic traditions. What is further interesting about the United Kingdom democracy is that the transition towards it was said to be largely peaceful (Botha, 2005:104).

In the United States, the concept of democracy was accepted as a system of governance after the end of the American Revolution. The American Revolution was fought against the British rule over America which in practical terms was seen as the war against British imperialism and colonialism. As a result, the revolution had an anti-colonial dimension. When the Americans finally claimed victory in 1781, the Constitutional Convention was mandated with the drafting of the democratic constitution of the United States of America which came into being in 1789, with the preamble, "We the people"(Botha, 2005:104). Eventually the constitutional principle was put in place, despite it having to be achieved through a bitter and bloody struggle. Despite the successful outcomes, the transition to a complete democracy had not been able to avoid the American Civil War of 1861-1865 (Botha, 2005:104).

The French Revolution is the popular struggle that led to the downfall of the absolute monarchical regime. This occurred in 1789, the same year that the American constitution came into effect. The democratic slogan of liberty, equality and fraternity was coined during this period. However, the revolution in France brought about the period of political instability which created an opportune moment for Napoleon Bonaparte's military coup d'état in 1799. France could only know political stability in years that were to follow much later. As a result, democratisation in other parts of the

world was to be influenced by the examples set out by these first transitions to democracy (Botha, 2005:104).

According to Samuel Huntington there are three fundamental phases or waves of democratization which he has defined as follows:

“A group of transitions from non-democratic to democratic regimes that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period of time. In this case, a wave will also involve liberalization or partial democratization in the political systems that do not become fully democratic” (Huntington, 1991: 15).

Huntington posits that the first wave of democratization took place around 1828 to 1926. This wave was largely characterised by the anti-colonial wars which took place in the Southern America. The second wave according to Huntington occurred in 1943-1964 and the last one being between 1974-1989, which started with the Portuguese revolution of 1974. Unfortunately, these waves of democratization were characterised by the reversals of the gains that democracy achieved drifting back to lesser democratic regimes. The first reversal was marked by the coming of Benito Mussolini into power in Italy, in 1922, who introduced a fascist regime and by 1942 the number of democratic countries were reduced to 12 the world over. Despite this, the victory of the Allied forces in the World War II brought about a significant increase of democratization which saw 36 countries in 1962 being governed democratically. Between 1960 and 1975 the second reverse brought the number of democracies back down to 30 (Huntington, 1991:13)

Huntington analysed the waves of democratization by basically measuring the proportion of democratic regimes over time as represented in the following sequence of their occurrence. The first wave of democratization began in the opening years of the

19th century and continued until around the 1920s whereby setting the pace for many democracies reverted to autocracy (i.e., the first reverse wave). Furthermore, the end of the Second World War in 1945 heralds the second wave of democratization. The second wave was very short with a huge number of countries succumbing to autocracy in the late 1950s and giving birth to the second reversal wave of democratization. In the mid-1970s the third wave of democratization occurred, continuing in full swing in the 1990s and 2000s with the end of the cold war (Strand, Hegre and Gates and Dahl 2012). Basically, the argument presented with regard to the waves of democratization is widely accepted but certain concepts are being contested by scholars such as Przeworski and Doorenspleet. Several authors have questioned Huntington's assertion that there have been three waves of democratization. The first group of critiques is conceptual; focusing on the definition of democracy and the second critique is empirical, focusing on measures of the incidence of transitions to democracy in terms of the percentage of states globally (Strand et al 2012:4).

However, despite criticism of Huntington's waves of democratization, during the middle of the 20th century it became evident that the concept of democratization could no longer be ignored. Some governments in the world were beginning to consider moving towards democracy as their system of governance. In the post-World War II in 1945, the concept of democracy became synonymous with good governance the world over. Democracy is well known for its respect for the constitution and the rule of law. Democracy can work effectively in an environment where there is separation of powers of the executive, legislature and judiciary.

Good governance is characterized by participation, transparency, accountability, respecting the rule of law, efficiency and effectiveness. Good governance can only be realized if Africa can produce good leaders with better visions and road-maps of development to better the lives of ordinary people. Social, economic and political transformation in a democracy will mean the changes can't take place systemically and

structurally. These changes encompass the existing parameters of social system, including technological, economic, political and cultural restructuring towards the betterment of the lives of ordinary citizens

2.4.2 Concept of Democracy

Democracy is probably one of the most contested concepts in the study of politics and is widely used by politicians and academics. It is used to explain more or less anything and everything that is in the name of the people (Botha 2005:35). On the other hand, democracy might mean that its primary concerns are deeply rooted in the electoral institutions, government, and legislatures. In practical terms the rule of law and democracy are embodied in distinct institutional systems. For example, in a democracy the law operates through the courts, police and judiciary system. Therefore, it is being argued that there must be an intersection where the legislature and the judiciary allow democracy and the rule of law to come into contact independently (Maravall and Przeworski 2003: 242). Generally, studies have demonstrated that there are various forms of democracy which include direct democracy, indirect democracy and semi-direct democracy.

2.4.3 Direct democracy and its characteristics

In direct democracy, the citizens directly debate and eventually decide on the legislative assembly. The emphasis here is on the participation of the people in political decision making and the role of government in general without the mediation of a third party, like a representative. It is with these reasons that direct democracy is sometimes referred to as participatory democracy, which is sometimes used to refer to any form of participation, be it direct or indirect. The idea behind direct democracy is usually based on the principle of equality of those who are eligible for participation which in practical terms refers to the citizens. Of critical importance about direct democracy is that it seeks to obliterate the distinction between the government and the ruled and between the

state and civil society which makes it to be a system of popular self-government (Botha 2005:50).

2.4.4. Indirect democracy and its characteristics

In indirect democracy, the people elect representatives to deliberate and decide on legislation, such as in parliamentary or presidential democratic processes. It is said that one of the proponents of the French democracy, Jean-Jacques Rousseau was a fervent admirer of the direct democracy but at a later stage admitted that this was not possible in large societies and states. This was so because he argued that the majority of people did not have time or the expertise to participate in direct democracy and as a result people are influenced to the direction of indirect democracy. Indirect democracy allows for the participation of the people in decision making and the activities of government in general. This system is often termed representative democracy (Botha 2005:55).

2.4.5 Semi-direct democracy and its characteristics

Semi-direct democracy is indirect democracy which uses mechanisms to ensure maximum direct involvement of the people in the affairs of the state. The practical example of such practice is Switzerland because of its broader use of direct mechanisms for participation in the political affairs of the country. Without going into details some of these mechanisms include: People's Assemblies, Referendums, Popular Initiatives, Recalls, Plebiscites and Deliberative Democracy. These mechanisms are there to safeguard against leaders who may want to overstay their welcome by declaring themselves Presidents for life as has happened in Zimbabwe. The essence of Semi-direct democracy is that it widens the effectiveness of political

participation, thereby reducing the chances that the system might become undemocratic. This system tightens the loose ends and closes gaps of possible marginalization of certain sections of the population in a multi-ethnic society (Botha 2005:62).

2.4.6 Liberal Democracy and Social Democracy

The focus of the previous paragraphs was on the different types of democracy. Those paragraphs also dealt with the practical examples on how citizens can participate meaningfully in a democracy. Therefore, the purpose of the following paragraphs will be to look at the influence of ideology on the values underlying democracy.

In consideration of the underlying values the study has identified two basic forms of democracy which are liberal democracy (with the focus on individual liberty) and social democracy (with the focus on equality). In modern societies liberal and social democracy are seen as the ideal types of democracy. As a result it is imperative to note that at times liberal democracy is considered equivalent with procedural democracy and social democracy with substantive democracy. However, it is important to note that not all procedural democracy may be regarded as liberal democracy. Moreover, theories of substantive democracy pay much attention on the just nature of the content of laws and authoritative decisions taken in a democracy.

2.4.6.1 Characteristics of liberal democracy

The concept of liberal democracy has its roots from western liberalism which developed over a period of time in Europe. Liberal democracy was then transported to the rest of the world during the process of colonial expansion by the western colonizers. This model of liberal democracy also took root in the United States of America. When the

USA developed an ambition to promote democracy in the world, it had liberal democracy in mind. Therefore, it is of essence to take note that liberal democracy cannot be divorced from its western traditional philosophical roots. “What adds to liberalism is at the same time a consequence of liberalism and democracy is the completion not the replacement of liberalism” (Sartori 1987:389).

Liberal democracy emphasizes the view that the people are always right and that the people should be sovereign. Liberal democracy recognizes the private sphere of individuals. In liberal democracy the will of individuals is given more priority than that of the society. Liberal democrats have argued that society is just the collection of individuals. In this context liberal democracy presents the ideological principles which made democracy possible in practical form. The following are fundamental principles of liberalism: freedom or liberty of the individual, the ability of humans as rational beings to make wise decisions, equal opportunity and equality before the law, tolerance, and a limited role of the state in the economy (Botha:2005: 66).

Liberals do not see government playing a fundamental role in the economy and its obligation to alleviate poverty. In the main, the majority of liberal democrats recognize the need to assist the poor, but to a larger extent they are opposed to the idea of the redistribution of wealth and the limits to private property and individual choices. Liberals advocate the freedom of individuals as comprising the most fundamental principles of democracy. They hold a strong belief that the main objective of the exercise of power is to protect the rights and interests of the individuals. However, some moderate liberals believe that there is a need for some sort of limited intervention by the government to regulate the economic activity for the purpose of improving the societal circumstances of the individuals.

2.4.6.2 Characteristics of social democracy

In most instances social democracy by its nature is usually associated with socialism. In actual fact social democracy has its roots from some of the original ideas of democracy as developed by liberal democracy while it maintains some important principles of socialism. As an ideology, socialism emerged as a result of the fundamental economic contradictions between the workers and the owners of the means of production. Therefore, socialism emerged as the reaction to social challenges rooted in the economic exploitation created by the industrial revolution and capitalism. Socialism put more emphasis on the social context of human existence. Socialism does not perceive society from an individual perspective but rather as a collective unit of individuals. Therefore, collectivism and collective ownership of the economic activities in order to improve the living conditions of the ordinary people becomes fundamental to socialism as an ideology. The socialist ideology places more emphasis on collective and equal responsibility towards each member of society. The most extreme form of socialism is communism. Other socialist scholars argue that socialism is one step towards communism. As a result social democrats and communists have one goal to achieve, but differ in mechanisms which are peaceful means and violent means respectively (Jackson and Jackson, 1997:164).

In practical terms socialism can therefore be regarded as a combination of some elements of liberalism as well as classical socialism and communism. Social democracy in its nature becomes the critical component of both extreme freedom and extreme equality. Unlike liberal democracy, classical socialism tempers the emphasis on the individual as expounded in liberalism. The idea of popular sovereignty and majoritarianism is rejected in classical socialism. Therefore, the notion of individual freedom and ownership of private property is sidelined in communism. However, social democrats are critical about the totalitarian and the elitist nature of the exercise of power as demonstrated in communist states. Socialist democrats also reject the most popular view of the communist tradition that believes that progress is only possible

when social conditions have deteriorated leading to a complete revolution by the working class. It argued that if workers' conditions improve, they will become empowered and will achieve their objectives peacefully (Jackson and Jackson 1997:165). In this regard it should be said that socialist democrats and their communist friends have in actual fact the same objectives, but social democrats are interested in reaching these goals in a much more peaceful manner and eventually introducing a democratic order.

Therefore, social democrats have always argued in favour of the principle of social justice. Unlike liberal democracy which advocates for individual ownership of property, social democrats, in contrast, favour at least the collective control over property and the means of production for the benefit of the disadvantaged classes, if collective ownership is not possible. In conclusion, liberal democrats have argued that the roots of social democracy cannot be defined outside the philosophical, political and social developments in Europe. However, it should be noted that this assertion does not mean that social democracy can only exist in an environment similar to that of European tradition per se (Botha, 2005: 68, 69).

In order to do justice to the concept of democracy, it is of essence to begin with the definitions, characteristics, indicators, variations and finally the nature of political life in a democracy. In Botha (2005: 38-39) various scholars have presented their arguments on the definition of democracy as follows:

According to Abraham Lincoln in his Gettysburg address in 1863 "democracy is a government of the people, by the people, for the people". Similarly, "the conditions of personal freedom, free elections and political equality are strongly associated with democracy and make it possible, but the literal meaning of democracy is simply rule by the people. Such rule may be direct or as is much more likely in today's crowded world,

it may be affected through representatives elected by the people. But unless the citizens have the right and the means to exercise some form of genuine control over the government, democracy cannot be said to exist” (Lawson 1989:87).

In expanding the debate, Gamble et al (1989:87) posit that “democracy is an ideology advocating widespread participation in governing. In the twentieth century such participation usually meant voting in periodic elections presenting a meaningful choice among the candidates”. In addition, democracy in the modern world means a constitutional representative government in which top decision makers are elected in open and competitive elections which require effective protection of basic political rights and liberties as well as effective restraints on government officials” (Willhoite 1988: 376). According to Ranney “Democracy is a form of government, organized in accordance with the principles of popular sovereignty, political equality, popular consultation and majority rule” (Ranney 1996:94). Furthermore, “democracy is based on the notion that authority derives from the masses of the people, who entrust the government, with powers to be exercised on their behalf” (Lipson 1976: 247).

Moreover, today democracy is “applied to political systems which manage to reconcile competing political interests rather than impose one interests on another” (Jackson and Jackson 1997: 77). In advancing the argument further, Lipset presents that

“democracy is a political system which supplies regular constitutional opportunities for changing the governing officials, and a social mechanism which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office” (Lipset cited in Vanhanen 1997: 27).

Basically, the arguments presented carry similar features of democracy as Sartori, (1995:102) indicates that “democracy is a system in which no one can choose himself [or herself], no one can arrogate to himself unconditional and unlimited power”. In context of the concept of democracy, both direct and indirect democracies O’Neil, (2004:149) posits that “in democracy, political power is exercised either directly or indirectly through participation, competition, and liberty”.

Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the completion and cooperation of their elected representatives. Schmitter et al further argue that modern democracy in certain terms presents a variety of competitive processes and channels for the complete expression of wishes and values associational as well as partisan, functional as well as territorial, collective as well as advancing the will of individuals (Schmitter et al 1991:4). Here the emphasis is on the will of the people to express their needs as a lobby group, organized labour or as individual members of the society.

When all these definitions of democracy are examined, it becomes clear that the presentations only differ in semantic usage of language, but in real sense all carry related meanings. For example, Abraham Lincoln, (Gettysburg, 1863) and Lawson (1989:87) have in common, the fact that the people should be at the centre stage if democracy is to be beneficial to them. Furthermore, Gamble, Irwin, Redenius and Weber (1992: 137) and (Sartori 1995:102) present that, people in a democracy should have the right to choose representatives in government. In addition, Lawson does mention the concept of personal freedom and the need for the representatives to be elected by the people. Agreeing with the said arguments stated above, Fukuyama posits that “there is no democracy without the democrats, that is, without a specifically Democratic Man that desires and shapes democracy even as he is shaped by it” (Fukuyama 1992:135).

2.4.6.3 Characteristics and indicators of democracy

One of the basic challenges when defining democracy is that it has its roots, culture and background that were developed as part of the histories of western states. However, in spite of the background and culture, even the democracies of the western states varied based on the nature of individual societies. For example, the United Kingdom, United States of America, and Scandinavian countries do not have the same democratic system. Over a period of time, parliamentary and presidential systems were developed (Botha 2008:40).

The presence of institutions and procedures through which citizens can express effective preferences concerning political leaders and public policy is one significant indicator in a democracy. The indicators most often used include the amount of competition in political participation and the extent of regulation of participation and the constraints placed on government on how to exercise power. In the main, scholars have come to agree that there are two basic forms of democracy: liberal democracy (with a focus on liberty) and social democracy (with the focus on equality). According to (Sartori 1987: 385) “liberal democracy is democracy within liberalism, while social democracy is democracy without liberalism”.

The most popular component of democracy equates it with regular elections, fairly conducted and honestly counted and in the main another commonly accepted form of democracy favours the practice that it transcends individual interests and conforms to the rule of the majority. However, this does not really mean that the will of the minority is always marginalized because successful democracies tend to qualify the central principle of the majority rule in order to safeguard minority rights. In this regard such consideration may take a form of constitutional provisions that place functions beyond

the reach of the majority which could be a Bill of Rights; requirements for concurrent majorities in several different constituencies known as Confederalism); guarantees securing the autonomy of local or regional governments against the demand of the central authority known as Federalism; grand coalition governments that incorporate all parties known as Consociationalism); or the negotiation of social pacts between major social groups like business and labour which can be defined as Neocorporatism. In actual fact the most considered and effective model of protecting minorities depends on the daily operation of interest associations and social movements (Schmitter et al 1991:7).

Most importantly, the freedom of association, the right to universal franchise and equality before the law should be guaranteed in a democracy. Fixed terms of office for governments, regular conducting of elections under international observation and monitoring should be the order of the day. Limitations of the term of office for presidents, and free political activity, including the right of opposition political parties to operate, are good for any democracy. Respect for the rule of law and the constitution are the building blocks of democracy. The separation of powers of the three tiers of government namely, the legislative, the executive and the judicial spheres is necessary in a democracy (Botha 2005:40).

Political freedom and participation in most cases form key components of human development as responsible for setting the pace for development goals in their own rights and as vehicles for advancing human development. Political freedom and participation, if guaranteed in the life of one's environment serve as capabilities that are as crucial for human development as being able to write and read and being in good state of health. Human development is an umbrella of human existence (UNDP, 2009). According to Human Development Report for 1991, people are the real wealth of nation". People should not be seen as the beneficiaries of economic and social progress but rather as its agents and the driving force as both individuals and by making common cause with others. It goes on to say that the concept of democracy is a Greek word meaning "rule by the people" by placing the needs of the people first, it sums up

the human development approach to governance because it expresses the idea that people must be at the centre stage of development (UNDP,2009).

The most important factor in modern history which has contributed deeply and help produce the shared support for democracy in Europe and America is the common understanding of the relationship between good governance and democracy, and on the other hand economic development. It is within this background that the work of the development economists and the democratization scholars which have shaped studies and policy statements of the World Bank, World Development Reports of 1997, the UNDP Human Development Report of 2002 and the European Consensus on Development statement have found common ground with supporting evidence that democratic government encourages economic development (Magen and McFaul, 2009).

In further advancing the debate around the concept of democracy (Sartori, 1987) spoke about liberal democracy and social democracy which became dominant political models of democracy. However, in the light of all these above theories, it should be acknowledged that the concept of democracy is very broad and should be understood from a particular perspective, especially the type of democracy that has been most practiced within the SADC such as the socialist democratic system. Irrespective of how broad the concept of democracy is; many governments in the world have adopted it as the most acceptable form of political system. Therefore, it is known that democracy has got an appeal to and dependence on the rule of law as well as the protection of human rights of all the people. It is widely accepted that the SADC region has undergone a democratic transition away from the totalitarian rule of the 1960s and 1980s which used to be characterized by one-man rule, one-party rule and even military take-overs. (Joubert et al, 2008). However, although SADC has made commendable progress in this regard, the region still faces a lot of challenges that need serious attention if democratic consolidation is to be realized in the region.

This table below illustrates the classification regarding the progress made on democratic transition and consolidation by some member states of SADC. It shows the categories of countries with blocked transition, conflict-ridden transitions, and relatively stable transitions as well as stable and mature transitions.

Table 2.1: Classification of Democratic Transition in SADC

Blocked Transitions	Conflict-Ridden Transitions	Embryonic & Relatively Stable Transition	Stable & Mature Transitions
Angola	Zimbabwe	Namibia	South Africa
	Tanzania	Mozambique	Mauritius
	Democratic Republic of Congo		
Swaziland	Zambia	Lesotho	Botswana
		Malawi	

Source: Matlosa, 2005b (revised and adapted, up to July 2007) P 36.

Based on the table above it becomes clear that the SADC member states are still lagging behind in terms of achieving stable and mature transitions to democracy. This clearly illustrates the fact that no single individual can deny the fact that SADC region has a lot of work to be done in terms of ensuring that member states move swiftly towards democracy consolidation. The fundamental question which can be asked could be: Is there in recent times a country that has fully applied all the principles underpinning democracy as it should be? In many studies that have taken place such a question remains literally unanswered even after analyzing the old democratic states. Despite all this, global democrats like Bill Clinton posited that the emergence of the democratic order would contribute to promoting peace and security (Jamail 2019:1).

According to Jamail (2019:1) democracy in a state should feature certain principles which can demonstrate some level of the acceptable form of a democratic regime which ranges from individual power to freedom of speech, freedom of media, right to universal suffrage and individual liberty on the daily basis of citizens. Unless these underlining stages are achieved, the democratic rule could be far from being realized. In practical terms there are a considerable number of cases in which the process of consenting to the democratic rule in a particular state resulted in its collapse and led to undesirable consequences and devastating outcomes. In addition it means that the concept of democracy should not be assumed to be the perfect regime because its application is bigger than the government's capabilities and the citizens' potentials. In a nutshell, democracy should mean the existence of the rule of law, power, equality, freedom of choice and speech in which the citizenry enjoy the standardization of human rights and enabling free and fair elections.

Lastly, in the context of the study it should be noted that many countries in the African continent, in particular SADC member states have experienced democracy during the third wave of democratization around the late 1980s. It is within this context that SADC's commitment to the promotion of democracy and good governance in Zimbabwe will be investigated.

2.5 Theories of Governance

The concept of governance is not new in the area of research; it is as old as civilization or human history. Farazmand (2012:351) posits that despite its growing importance to researchers, development practitioners, policy makers, and international aid agencies, governance is far from being a finished product. Rather it is a dynamic concept and worth examining analytically and systematically. Despite being critical of the concept, Farazmand went on to identify three facets which for example, are the good, the bad, and the ugly, and concluded that none of them offer a full scale and comprehensive view of the concept. In agreement with Farazmand, Kohler-Koch and Rittberger have presented a strong argument by stating that despite decades of huge effort there is still

confusion with regard to the conceptualization of the concept of governance. The complication surrounding the concept is as a result of the rise of the third sector organizations in the developing countries, the changing role of the international aid agencies towards the aid-receiving countries, the significance of people's participation in development projects and actions enforced to re-theorize the role of public administration. Related to these is the excessive political influence and bureaucratic control over central and local spheres of governance which is to be blamed for conditions of massive poverty, corruption, economic inactivity, political instability, confused priorities, anarchy, and finally the violation of human rights of citizens and the people in general (Jreisat, 2004). Therefore, according to Werlim (2003) it is clear that the wealth or poverty of any nation cannot be divorced from the state of governance and not merely the natural resources of a particular country (Asaduzzaman, 2016:2).

According to (Schneider, 2004) the vagueness of the concept of governance is in actual fact the secret of its success (Asaduzzaman, 2016:1). However, despite its colossal recognition and significance, a universal or acceptable theory of governance has not yet been agreed upon. Adding "good" with governance has now become the order of the day and has been paid much attention to the international aid agencies since the 1990s. In practical terms good governance has become an official pre-condition as set out by the World Bank and other financial institutions for aid-recipient countries of Africa and Asia. What is surprising here is that that good governance has now become a condition rather than creating better democracy of the developing nations. It is with these reasons that a common consensus about its theoretical framework is yet to be developed (Asaduzzaman, 2016:3).

However, it should be noted that the requirement for the practice of good governance is not only limited to financial institutions per se but also features in the strategic developmental programs of progressive international institutions like the United Nations Development Programme (UNDP) as will be discussed in the paragraphs below.

2.5.1 Theoretical framework for governance

Various scholars have made numerous attempts in trying to come up with definitions with regard to the concept of governance. Despite the plethora of perspectives that have come forward a common consensus could not be found. However, it is argued that the term governance refers to the political field and political activity as the vital task of every national government. In addition, it must be stated that the terms government and governance should not be used interchangeably because they don't mean the same thing. Government happens when those with legally and formally derived authority and policing power are assigned with the responsibility to execute and implement activities. By contrast, governance refers to the creation, execution, and implementation of activities backed by the shared goals of citizens and organizations, which may or may not have formal authority or policing power. According to Richards and Smith, "government is bureaucracy, legislation, financial control, regulation and force" (Asaduzzaman 2016:2-3). While governance refers to a growing use of non-regulatory policy instruments.

According to Graham et al, (2003), "governance is seen as interaction among structures, processes, and traditions that determine how power and responsibilities are exercised, how decisions are taken and how citizens and other stakeholders have their say. Therefore, governance is about power relationships and accountability: it addresses questions such as: who has the influence, which makes the decisions, and how decision-makers are held accountable" (Asaduzzaman, 2016:3). In addition, (Wallace 1996: 11-12) argues that governance embodies "a wide range of multiplicity levels, from the global to the local" (Maserumule, 2011:271).

From the UN perspective, governance is defined by the United Nations Development Programme (UNDP, 2009) as the exercise of economic, political and administrative authority to manage a country's affairs at all levels (Owen, 2011:222). It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their rights, meet their obligations and mediate their differences. One of the primary goals of governments today, is to achieve good governance (Merilee, 2004: 76). Good governance is characterized by participation, transparency, accountability, respecting the rule of law, efficiency and effectiveness (Crozier, 2010: 56; Yingyi, 2003: 192). Good governance can only be realized if society can produce good leaders with a clear vision and road-map for development in any country (UNDP, 2015).

As a result the question can be asked, do SADC governments have a shared or similar understanding of good governance? Climate change, disaster management, food security, maritime security, and other threats to human security need to be addressed and managed by various sovereign states. Furthermore, according to Lynn, Heinrich and Hill (2007: 5-6) in Maserumule, posit that "governance is used by successive civilizations to refer to the exercise of authority, control and direction by government" (Maserumule, 2011:271). It is for this reason that it becomes imperative for government leaders and officials to be equipped with the necessary tools, skills and knowledge in order to respond effectively to domestic, regional and global challenges which have a direct impact on their respective communities (UNESCAP, 2009: 13).

The Ibrahim Index of African Governance is considered the world's most comprehensive ranking of African Governance. In 2007 the Mo Ibrahim Index of African Governance measured 48 sub-Saharan African states on the quality of governance in the areas of safety and security, transparency and corruption, human development, participation and human rights, sustainable economic opportunity and the rule of law. The findings revealed that Mauritius was best governed with an overall score of 86.2,

followed by Seychelles 83.1, and then Botswana on 73.0, with Cape Verde and South Africa scoring fifth (IIAG 2007:16). The rest of the other countries that ranked below South Africa and Cape Verde were regarded as weak performers on the African continent including Zimbabwe 45, 4. It is argued that the indices have not showed significant change of late (IIAG 2007:16).

2.5.2 Good Governance

The origin of the notion of the concept of governance was referred to by Aristotle to describe a state ruled by an ethical and just governor. Currently, governance is understood as the process of decision-making and implementation of those decisions in variety of contexts, such as corporate governance, institutional governance, international governance, national governance and many other spheres of governance. Towards the end of 1990, the World Bank took a lead in developing a strategic link on the quality of a country's governance system and its ability to pursue sustainable economic and social development. Furthermore, the World Bank viewed governance as a vehicle that encompasses the type of political regime which has got the authority to exercise and manage the country's economic and social resources for development and the ability of governments to design, formulate and implement policies and carry out functions. As a result, the World Bank adopted good governance as a core element of its development strategy (Kask 2019:3).

The concept of governance has over time been developed to a stage where the word "good" was included in it. Researchers, policy makers, political scientists, NGOs, regional and international organizations and other progressive institutions of the world could not find a universal definition in relation to the concept of good governance. It is also of essence to note that in recent years, good governance is said to include good administration. In the field of political science, good governance and democracy are often said to be inseparable (Asaduzzaman, 2016:6).

In order to broaden diversity and comprehensive outlook of the definition of the concept of good governance (Kask 2019:5) considered the following significant arguments by various institutions as follows;

In the Parliamentary Assembly Resolution 1060 (Council of Europe 1995) , good governance was explained as including “democracy and human rights, the absence of corruption, social reforms favouring the disadvantaged citizens, economic reforms in the direction of market principles, adequate protection of the environment, and more open trade including trade with other developing countries”. In 2005 and 2006 the Parliamentary Assembly made two recommendations which emphasized the Council of Europe’s important role in improving good governance, but with no clear definition of it. In addition, good governance was stated alongside democracy, the rule of law and human rights (Kask, 2011:5)

Similarly, the Conference of European Ministers responsible for local and regional government at its fifteenth session in October 2007 adopted the “Council of Europe Strategy on Innovation and Good Governance at local level”. It mentions that good governance has become a model for giving real effect to democracy, the protection of human rights and the rule of law. In the strategy, twelve principles of good democratic governance were listed which draw on the Council of Europe member states in the field of democracy, the rule of law and the protection of human rights and democracy. Inter-alia, they also include responsiveness and accountability, openness and transparency, as well as effectiveness and efficiency (Kask, 2011:5).

The North-South Center of the Council of Europe and the Association of Europeans Parliamentarians for Africa (AWEPA) also pronounced on good governance. The concept of good governance featured prominently in the framework of the Austrian Presidency of the European Union and the Association of European Parliamentarians

for Africa (AWEPA) and the North-South Centre of the Council of Europe at a seminar organized in Cape Town in 2006 for African and European Parliamentarians to discuss the new EU-Strategy for Africa. Part of the action plan saw the recommendation of good governance alongside democracy and human rights as the key elements for improving living standards of the people. It was also noted that good governance requires effective parliamentary action and a consensus on the definition of good governance and its relationship with development should have to be clearly crafted (Kask, 2011:6).

In 2000 the European Community in the Partnership Agreement between the States of the African, Caribbean and Pacific Group defined good governance as follows;

“In the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purpose of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of law in the management and distribution of resources and capacity building for elaborating and implementation measures aiming in particular at preventing and combating corruption”(Kask,2011:6).

In addition, good governance in the EU has got a special place and relevance to the European Commission as defined policies of common interest at the European level. It was in line with this background that in 2001, the European Commission identified five principles of good governance which are located in the White Paper on European governance as follows:

- Openness
- Participation

- Accountability
- Effectiveness and
- Coherence

Similarly, the late former UN secretary general, Boutros Boutros-Ghali submitted the Agenda for Development to the General Assembly in 1994 which aimed at addressing the essence of development and its basis for peace and stability. The agenda's objective was to highlight a new inducement to the discussion of development building on the United Nations' experience. The important role of good governance was emphasized in development in which democracy was said to be inherently attached to the question of governance. As a result, democracy was seen as the only reliable means to achieve improved governance. Good governance is further described as having several meanings in the context of development according to Kask:

In essence, it means the design and pursuit of a comprehensive national strategy for development. It means ensuring the capacity, reliability and integrity of the core institutions of the modern State. It means improving the ability of government to carry out governmental policies and functions, including the management of implementation of systems. It means accountability for actions and transparency in decision-making (Kask, 2011:7).

In addition, in 2000 the UN General Assembly adopted the Millennium Declaration in order to reaffirm the organization's role in the new millennium. Good governance was stated in connection with the eradication of poverty, emphasizing that its success lies squarely on good governance at the national and international level. Furthermore, good governance was also mentioned in the title of Part V named " Human rights, democracy and good governance" but was not dealt with in the text. As a result the concept of good

governance was not defined in any part of the declaration regardless of it being mentioned several times (Kask, 2011:8).

The United Nations Commission on Human Rights in 2000, 2003 and 2004 stated that the foundation of good governance is:

- Transparent
- Responsiveness
- Accountable
- Participatory government
- Responsive to the needs and aspirations of the people.

However, the Commission seriously noted that determination and implementation of such practices rests with the States concerned because the material conditions may vary from society to society. Transparency was mentioned in relation to participatory democracy in order to allow the citizens to make contributions in the manner in which the government machinery should work in their favour in aspects of service delivery. The UNDP (1997) was cognizant that human development and good governance are inseparable. It describes good governance as follows:

“good governance is among other things, participatory, transparent and accountable. It is also effective and equitable. And it promotes the rule of law. Good governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and most vulnerable are heard in decision-making over the allocation of developmental resources.”

Five principles of good governance as defined by the United Nations Development Program (UNDP: 1997) in the Table 2.2. Below shows how the UNDP had crafted certain principles which would assist the researchers in their quest to define good governance.

Table 2: 2 five principles of good governance as defined by the United Nations Development Program

The Five Good Governance Principles	The UNDP Principles and related UNDP text on which they are based
1. Legitimacy and voice	<p>Participation - all men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their intentions. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.</p> <p>Consensus orientation - good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and where possible, on policies and procedures.</p>
2. Direction	<p>Strategic vision - leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.</p>

3. Performance	<p>Responsiveness – institutions and processes try to serve all stakeholders.</p> <p>Effectiveness and efficiency – processes and institutions produce results that meet needs while making the best use of resources.</p>
4. Accountability	<p>Accountability – decision makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external.</p> <p>Transparency – transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them.</p>
5. Fairness	<p>Equity – all men and women have opportunity to improve their well-being.</p> <p>Rule of law – legal framework should be fair and enforce impartially, particularly the laws on human rights.</p>

Source: Adapted from Institute on Governance June 30, 2003: 8

The United Nations High Commissioner for Human Rights identified four key themes in relation to good governance practices for the protection of human rights.

- Strengthening democratic institutions
- Improving service delivery
- respecting the rule of law
- Combating corruption

Good governance and human rights are mutually reinforcing and cannot be separated. Human rights principles serve as an important manifesto to guide the work of governments and other political and social actors. Human rights are based on the standard set out in the Universal Declaration of Human Rights and elaborated in the international conventions such as the International Convention on Civil and Political Rights (ICCPR) that define the minimum standard to ensure human dignity (UN:2007).

In 2009 United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) which among others monitors progress, and provides advice to countries pursuing the UN Millennium Development Goals, identified the “ major characteristics of good governance as follows:

- Participatory
- Consensus oriented
- Accountable
- Transparent
- Responsive
- Effective and efficient
- Equitable and inclusive

Furthermore, the UNESCAP also maintains that corruption should be minimized, the views of the minorities taken into account and that the voices of the most vulnerable in society be heard in decision-making. It is responsive to the present and future needs of society.

UNESCAP described the cornerstone of good governance as follows:

2.5.2.1 Participation

Participation should be understood from a perspective of gender inclusivity, in which men and women can contribute equally wherein their inputs should be seen as the key cornerstone of good governance. Participation could be made direct or through legitimate intermediate institutions or representatives. However, it is crucial to indicate that representative democracy would not mean that the concerns of the vulnerable should always be taken into consideration in decision making. Participation has to be informed and organized. This means that a platform which recognizes the freedom of association and expression should be created to enable organized civil society to operate freely.

2.5.2.2 Rule of law

Good governance emphasizes the creation of fair legal frameworks that are enforced impartially. It also calls for the protection of human rights of citizens, particularly those of minorities. In order to achieve impartial enforcement of the law, an independent judiciary and an impartial and incorruptible police force should be put in place. In actual fact, the rule of law could only take place in an atmosphere where the separation of the three spheres of government exist namely, the legislature, the executive and the judiciary.

2.5.2.3 Transparency

Transparency means that decisions taken and their enforcement are conducted in a way that they abide by rules and regulations. It also means that access to information should reach all people including those who are or will be affected when decisions are enforced. Furthermore, it also means that the tools for communication should be provided in a much more understandable form which includes the media.

2.5.2.4 Responsiveness

Good governance requires that institutions and processes try by all means to serve all stakeholders within a reasonable timeframe. Responsible institutions should always be on the alert for any disturbances that seek to render their functions vulnerable, for the betterment of the interest groups they were established to serve.

2.5.2.5 Equity and inclusiveness

A stable society's wellbeing depends on ensuring that all its members feel a sense belonging in it and do not feel excluded from the mainstream and forums where decisions are taken. In the main this will require that all groupings, but in particular the most marginalized, have opportunities to foster change and improve their wellbeing.

2.5.2.6 Effectiveness and efficiency

Good governance means that processes and institutions produce world standard results that meet the needs of society while making the best use of resources at their disposal. In the context of good governance, the concept of efficiency also covers the sustainable use of natural resources and the protection of the environment.

2.5.2.7 Accountability

Accountability is a key requirement of good governance. In this regard not only government institutions but also private sector and civil society organizations must be

accountable to the members of the public and to their institutional stakeholders. Organizations are required to be accountable to those who would benefit or are affected by the enforcement of decisions that they implement (Kask, 2011:10).

In 1989 the World Bank identified bad governance as playing a huge role in precluding development, and thus describing bad governance to mean the absence of accountability, transparency and efficient administration combined with corruption in respect of management areas. In 1994 the World Bank defined “governance” as the manner in which power is exercised in the management of a country’s economic and social resources for development. (Asaduzzaman, 2016:3). In 2007, in the context of the Bank’s 2007 governance and anticorruption strategy, the World Bank added more meaning to the concept of governance as the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services.

It is within this framework that when granting loans to the recipient countries, the World Bank may only take into account economic factors sidelining the political factors. On the other hand, the International Monetary Fund (IMF) places good governance next to combating corruption as outlined in its 1997 “Guide on the IMF’s approach to good governance and combating corruption” (IMF 1997) Like the World Bank (WB), the term has a purely economic meaning. It encompasses the transparency and accountability of public resource management and the financial sector (Kask, 2011:11).

In March 2001, in its policy paper on good governance the African Development Bank (ADB) identified five elements of good governance as:

- Accountability
- Transparency
- Combating corruption
- Participation

- Legal and Judicial Reform.

The ADB further stated that “good governance is a necessary condition for the success of the bank’s core interventions to promote economic and social development in its regional member countries” (Kask, 2011:11).

According to the Organisation for Economic Cooperation and Development (OECD),

“Good governance consists of a set of principles that address the effective functioning of government, the relationship of citizens and parliament, as well as the relationship in spheres of government” (Kask, 2011:11). The said principles include the following:

- Respect for the rule of law
- Openness
- Transparency and accountability to democratic institutions
- Fairness in dealings with citizens, including mechanisms for consultation and participation
- Efficiency
- Effective services
- Clear, transparent and applicable laws and regulations
- Consistency and coherence in policy formulation and;
- High standards of ethical behaviour

Addressing the Fifth World Parks Congress in South Africa in 2003, the former Secretary General of the United Nations, Kofi Annan (Graham 2003:1) reflected on a growing consensus when he stated that “good governance is perhaps the single most important factor in eradicating poverty and promoting development”. In other words, good governance has the potential to attract direct foreign investment which can translate into economic growth. As a result, economic growth can lead to economic development. Moreover, where there is economic development, political stability is attainable. By and large it means that good governance is a pre-requisite for

development, peace and stability for any regional formation or institution. There is a strong connection between good leadership and development or between underdevelopment and poor leadership. For example, the economic mismanagement in Zimbabwe in 2000 demonstrated poor leadership which led to international sanctions leaving the country in a dire economic situation. Unfortunately, there are few African countries where good governance is present, as is demonstrated by the annual Ibrahim Index of African Governance. Safety and the rule of law are on the decline in the continent and are the categories with the highest number of individual states on the negative trajectories since 2011 (Mo Ibrahim Foundation, 2015:7). According to this report Zimbabwe is occupying position 43 in the continental rankings with regard to safety and rule of law. Regrettably, these paint a negative picture of good governance and democracy as they are critical components of economic growth and economic development.

Good governance takes place in an atmosphere that is democratic (Gottschalk, 2016: 103). However, it is imperative to note that democratic governments do not necessarily exercise good governance. This is also true for governments in the SADC region. For example, the Zambian government is democratic but the Zambian people complain of violations of human rights of its citizens and corruption (Resnick, 2016:111). However, by the end of the 20th century, most African governments including SADC countries began to accept democracy as one of the best forms of political systems. Many countries in Africa and SADC in particular, have made tremendous strides towards multiparty democratic governance.

African leaders have since committed themselves and their countries to strive towards democracy and good governance under the guidelines expounded in the New Partnership for Africa's Development (NEPAD) and the broader-based African Union (AU). Back then NEPAD has defined itself within the parameters of global standards of democracy and good governance which provide a range of fundamental indicators such

as political pluralism, the existence of several opposition political parties, workers' unions and free and fair elections (Peters, 2002).

By and large, good governance is generally accepted as meaningful acceptance and operationalisation of free market economic policies, including accountability and transparency on decision making, and at the political management level, democratization of multi-party systems and commitment to free elections. Moreover, the arguments presented in this chapter clearly demonstrate that democracy and good governance share a lot in common and interdependent, and cannot be separated. The practical example of this is that both concepts could only function better in an atmosphere where the rule of law is safeguarded; accountability and transparency playing a significant role in administering the affairs of governance institutions.

2.6 Conclusion

This chapter dealt with various arguments around the concepts of region and regionalism, democratization and democracy as well as governance and good governance. Despite the plethora of ideas stated in various literature above and the lack of universal definition on what democracy and good governance entail, it is evident that no international institution can turn a blind eye on these concepts. Concepts such as the rule of law, participation, transparency, effectiveness, efficiency, the fight against corruption and the role of civil society are found to be relevant to features of both democracy and good governance. It is now clear that no regional organization, institution or individual country that can define itself outside the scope of global standards in terms of the a universal definitions of democracy and good governance as expounded by international organizations like the UN, OECP, WB, IMF, ADB, UNDP, EU, and many more.

It is in line with this understanding that the concepts of region and regionalism cannot be divorced from one another as these two concepts represent an essential outlook of the study since SADC which is under investigation is a regional body. This presents a comprehensive view on what constitutes a region and regionalism. It becomes clear that regions are not only established as a result of geographical proximity per se, but regions could be formed on the basis of common historical and social backgrounds. That is the reason why other regions have been socially constructed. This theoretical framework will assist the study in developing a clear roadmap towards the attainment of the research objectives as well as answering the research questions.

CHAPTER THREE

The History of the Political Development of Five SADC Countries

3.0. Introduction

In the previous chapter, the study dealt with the theoretical concepts of region, regionalism, governance, good governance and democracy. These concepts provided the study with a theoretical framework and gave a clear background on how inter-state organizations are established. It also shed light on how regional and international organizations defined governance, good governance and democracy. All these form the fundamental principles which are necessary when dealing with issues of regional formations and their roles and functions such as the SADC.

In this chapter, the political background of Zimbabwe, South Africa, Lesotho, Namibia and Eswatini will be interrogated. The type of political systems in these countries will determine whether the principles of democracy are being followed as an important condition for the practice of good governance in the SADC region. As it has been pointed out in the previous chapter, democracy and good governance work hand in hand and it is therefore necessary to use the information to answer the research question.

In addition, the origins of SADC as a regional organization, its objectives and functions will be looked at in this chapter. This will be done specifically to look at the SADC mandate and its effective application within the Southern African Community. This undertaking will be guided by the mechanisms and strategies which SADC has employed in maintaining peace, security and stability in the region.

Four of the five SADC countries under scrutiny have one thing in common which is that they were all colonized by Britain except for Namibia as a former Germany colony and later a mandated state under South Africa. Since the end of World War II these countries began to gain independence.

3.1 Political Developments in selected SADC Member States

3.1.1 Zimbabwe -transition to democracy and a move to authoritarianism.

As a point of departure it becomes necessary to define the concept of authoritarianism. This is done in order to give much more clarity to the Zimbabwean political developments. According to Jackson and Jackson (1997:81) authoritarianism 'is a very old form of regime usually associated with tyrants, despots, monarchs and czars'. While on the other hand authoritarianism is defined by Heywood (1997:36) 'as a practice of government from above and is concerned with the repression of opposition and political

liberty, rather than with the more radical goals of obliterating the distinction between the state and the civil society' (Botha, 2005:23). It is therefore, within this framework that the concept authoritarianism should be understood. It means then that if some states suppress people's political freedom through repression, they cannot be said to be democratic.

Zimbabwe gained its independence from British colonial rule in 1980. The protracted liberation struggle waged by ZANU and ZAPU of Robert Mugabe and Joshua Nkomo respectively resulted in the Lancaster House Agreement. Subsequently, Zimbabwe became independent and Robert Mugabe became the founding Prime Minister and later President after some constitutional amendments. One of the stipulations of the Lancaster House Agreement was that the British government would make money available for the compensation of Britain's settler farmers in Zimbabwe as part of the peaceful equitable distribution of land among the landless majority. Land reform was a necessary condition for nation building and national reconciliation in Zimbabwe. However, the British government did not honour such a crucial accord. In facing the reality, Boris Johnson, the current British Prime Minister openly admitted that Britain played a 'shameful' role in Zimbabwe's economic woes. In an article published in the UK Daily Telegraph, Johnson, then a journalist, pointed out that the former British Prime Minister Tony Blair had a hand in the current Zimbabwean economic difficulties. 'It is vital to recognize that Zimbabwe was not always like this, and did not have to be like this.' Johnson wrote. (News 24 archives, 2015).

Clearly, when Blair of the Labour Party came to power in 1997 in a fit of a vowed anti-colonial fervour, they unilaterally dismissed the Lancaster stipulation by nullifying the arrangements on the issue of land. The Minister of Overseas Development Clare Short, stated categorically that Blair's administration would not recognize the special responsibility to meet the costs of land purchase in Zimbabwe. Johnson concluded that it was that betrayal of the Lancaster House Agreement that precipitated Mugabe into

launching the violent land programme against white farmers in Zimbabwe. Shortly after this, it was reported in the New Zimbabwe.com that the ZANU-PF party chairperson, Nick Mangagwa, based in the UK was delighted by Johnson's statement in which he said they have been vindicated. However, justified or not, Zimbabwe is sitting with a huge political, social and economic crisis. It was that betrayal of the Lancaster Accord and the violent land reform programme that brought Zimbabwe to where it is today.

When Mugabe took over power his government was known to be undertaking the transition to democracy until in the late 1990s when the material conditions on the ground changed dramatically. This undertaking was in line with the said democratic constitution agreed upon in the signing of the Lancaster House Agreement. The editors of *Democracy in Developing Countries* classified Zimbabwe as semi-democratic. At first Tatu Vanhanen, regarded Zimbabwe as a deviant democracy after independence but placed it on the category of semi-democracy at the end of the decade (Darnolf, 2003:26).

In order to bring reconciliation between former liberation movements and political stability in the country, ZAPU decided to join ZANU and ZANU-PF was established under the leadership of Robert Mugabe. Although this move did yield results it was perceived by many as a move towards a de facto one-party state. In the early stages of this unity between ZANU and ZAPU, the government adopted a number of democratic principles. In this regard the judiciary was independent of the executive and was in a position to open up and safeguard room for civil society to operate while strengthening the executive arm as well. In addition, issues of national discourse could be brought up by civil society organizations through media instruments and the government controlled media so that the government could not turn a blind eye on them completely. It was in line with this understanding, that the unity provided a space for critics by simply ending the war in Mathabela land. However, the theories of the Mathabela land, massacre did not vanish automatically. As journalists, academics, writers, NGOs and activists

continued to conduct a thorough assessment on the pros and cons of the one party state. They shared a common understanding that the Mathabela land incident has made the unity unpopular even in the ranks of the ruling party (Darnolf, 2003:26).

However, the elections of 1990 were beginning to demonstrate the danger of the culture of a one party dominant state. John Makhube regarded those elections as neither free nor fair on the basis that the opposition was not given much air-time on the media platforms to state their case in a way of doing proper electioneering. Since 2000, things turned out to be worse and have never gotten better to date. Three critical issues happened which will be unpacked in the next chapter. First was the violent land grab, second the alleged rigging of 2000 and 2008 elections by the ruling party and third was the Operation Murambatsvina. It is worth noting that since the defeat of the constitutional referendum in 2000, the political environment in the country has been characterized by a turn from the norms of democratic governance to authoritarianism. In the main democratic practices have weakened; such as free and fair democratic elections, the rule of law, the independence of the judiciary, freedom from racial discrimination, existence of independent media, protection of individual property and the voices of civil society and NGOs have been suppressed.

In essence the emergence of the MDC by former trade unionist, Morgan Tsvangirai, posed a remarkable threat to the existing culture of a single dominant political party in the politics of Zimbabwe. Such a move was aimed at transforming the political landscape in the country and challenged the personality cult created by Mugabe and his ruling ZANU-PF. As a result, since 2000 the political climate in the country changed drastically when the ruling party unleashed a wave of massive repression on the main opposition party, the MDC. Nearly, all the elections which were to come were marred by irregularities, ranging from intimidation of political opposition to political violence. Given all these challenges, it is worth noting that the SADC as the regional body has been

there to mitigate in trying to resolve the Zimbabwean situation. The details of which will be discussed in the next chapter.

3.1.2 South Africa: From Apartheid to Democracy

According to Britannica, apartheid (Afrikaans “apartness”) is defined as the policy that governed relations between South Africa’s white minority and non-white majority and sanctioned racial segregation and political as well as economic discrimination against non-white majority (Britannica.com 2012). Similarly, in practical terms, apartheid was a segregation policy introduced by the National Party government in 1948, which discriminated against black people on the basis of race. It denied the African majority the right to franchise, freedom of speech, liberty and equality before the law as well as self-determination. This policy was condemned worldwide by progressive regional and international organizations as a crime against humanity.

On the other hand in its fourth summit held in Algiers in 1973, the Non- Aligned Movement (NAM) declared that ‘apartheid in South Africa is more than a system of racial discrimination: it is primarily a form of colonialism (NAM, 1981:173).

South Africa was also a British colony until 1961, and when Britain seceded it became a republic. Such a process officially handed over political power to the apartheid white minority regime. Despite all these formalities the apartheid government was in power from 1948 and the struggle for freedom can be traced as far back as 1912 when the South African Native National Congress (SANNC) now the African National Congress was formed. The ANC became the sole voice of the oppressed black majority since then. In 1959, the ANC experienced a slight setback when a group of its members led by Robert Sobukwe broke away to establish the Pan Africanist Congress. They claimed that the ANC was too liberal to actually challenge the brutality of the apartheid white minority regime. They adopted Pan Africanism as their guiding principle. They also did

not agree with the Freedom Charter as a guiding document the ANC adopted in 1955, which stated that South Africa belongs to all who live in it, blacks and white. In 1960 both the PAC and the ANC were made illegal organizations and activists were forced into exile. In exile the ANC established its headquarters in Lusaka in Zambia, while internationally it had links with the USSR for the purpose of military training and the general funding of armed struggle. On the other hand the PAC went to Dar es Salaam in Tanzania and established links with the People's Republic of China for the purpose of the armed struggle.

The two liberation movements were forced into armed struggle after the Sharpeville shooting in which the racist police force shot and killed peaceful protesters on the 21st of March 1960. It later appeared that 69 people were killed and hundreds were seriously injured. Today in South Africa the 21st of March is celebrated as the Human Rights Day in honour of those who were killed on that day. The events of Sharpeville brought the unprecedented attention of the international community in South Africa. The two liberation movements became official representatives of the people of South Africa in the Organisation of African Unity (OAU) as well as in the United Nations (UN) general assembly. The strategy was to isolate the white racist minority regime and its system of apartheid which had been declared by the United Nations General Assembly as a 'crime against humanity. Moreover, in support of the UN, even a special 'International Convention for the Suppression and Punishment of the Crime of Apartheid' had been opened for signatures by governments (Reddy, 1986:16).

However, the painful reality was that the armed struggle by the ANC and PAC was not able to force the white racist minority regime to introduce political reforms. The South African Defence Force (SADF) by then was too strong to be infiltrated by the armed forces of the liberation movements. The fall of the Berlin Wall in Germany in 1989, symbolized the end of the cold war and brought about political developments in South Africa that created a platform for peaceful negotiations. Historically, despite the liberal

policies of the ANC, its association with communist Russia made it seem like a communist organization. Coupled with its historic working relationship with the South African Communist Party, the ANC appeared similar to a Marxist-Leninist movement whereas it has never been one. Throughout these years, the white racist minority regime of South Africa would always claim that it was protecting capitalist interests in South Africa against communism. This compelled the capitalist western powers to be indifferent when the racist National Party unleashed a wave of political violence against the defenseless people of South Africa. It is worth noting that had it not been the support the apartheid government received from major capitalist countries like the US and its allies perhaps they would have relinquished political power before the 1980s. This could have been partly because of the systematic internal resistance from within and severe economic sanctions by international organizations such as the Non-Aligned Movement and the Anti-Apartheid Movement.

However, the end of the cold war meant that the white minority regime could no longer use communism as an excuse towards maintaining the policy of apartheid. On the other hand, the disintegration of the Soviet Union meant that the ANC would no longer receive military training and direct funding for the maintenance of the armed struggle. After thorough consultations the ANC and the National Party agreed to go for a negotiated settlement. Given these developments, it was important for the former Frontline States to share experiences of the negotiated settlement with both the ANC and the PAC. Subsequently, Zimbabwe hosted the ANC and the PAC on its home soil in order to discuss the way forward prior to the negotiations to be held in South Africa in the early 90s. Both liberation movements emerged with what was termed the Harare Declaration as a guideline document on how to approach the negotiations as a Front. As a result, the relationship between the liberation movements, the ANC, PAC and Mugabe (ZANU-PF) was strengthened.

The outcome of the negotiated settlement led to the first non-racial democratic elections in South Africa on 27 April 1994. The ANC won the majority votes and the government of National Unity was put in power based on the democratic constitution. Nelson Mandela became the first democratically elected President of South Africa. The South African constitution was founded on the liberal principles of the separation of powers of the Executive, Legislature and the Judiciary. In order to sustain democratic principles the constitution guaranteed the Bill of Rights such as the right to life, dignity, freedom of speech and association, the right to vote and free political activity, equality before the law, the right to education and primary health care. It also put in place various institutions such as the Public Protector, Commission on Human Rights, Commission on Gender Equality, Independent Communications Authority of South Africa, Commission For the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, Independent Electoral Commission and The Auditor General; all these are called Chapter 9 institutions (South African Constitution 1996).

On the 30th August 1994, South Africa was officially welcomed as a new member of SADC. Since then, South Africa has been very much busy at a regional and international level within the AU and SADC. South Africa mediated in Zimbabwe, Lesotho, Democratic Republic of Congo, South Sudan and Eswatini. It did so under the mandate of the AU or SADC. In 2014 a study was commissioned by the International Institute for Democracy and Electoral Assistance (IIDEA) in terms of the performance of the South African constitution. The key findings were as follows:

Thin compliance

- The ANC as the dominant party was able to push for the constitution it desired
- A number of key pieces of legislation were passed to give effect to the constitutional ethos

- All the institutions envisaged in the constitution have been established and that, in itself, is worth noting.
- Some institutions have played an important role in helping to advance the goals of the new democratic order.

Thick compliance

In terms of the compliance with the goals of the constitution in a fuller sense, the picture is more mixed. The positive side the picture looks like this:

- Largely, South Africa has a democratic system of government, and elections are general regarded as free and fair
- Greater political competition has arisen over time and there is a general acceptance of the opposition
- The judiciary is generally regarded as independent and frequently strikes down actions of the legislature and executive
- There are Chapter 9 institutions which have achieved remarkable success, although this has been contingent on the personalities who hold positions in them
- The various tiers of government have been developed and function to a lesser or greater extent across the country

The negative side the picture looks like this:

- It appears that the institutions have often not fully achieved the objectives of the new order
- The one-party dominance of the ANC has led to a worrying capture of democratic institutions by the ruling party and the constitution has not been able to insulate many institutions from heavily political appointments
- There is an increasing sense of disaffection with politics by many South Africans

- There is widespread corruption or a perception of widespread corruption around many institutions of the state including the police
- Political interference has been rife within the National Prosecution Authority
- The ANC has been able to cover up for individuals who failed to perform in their posts which in turn encouraged corruption

Lastly, the report further noted that South Africa succeeded in establishing a democratic system of government. However, the aspect of a single party dominance has undermined some of the key checks and balances in the democratic order. It also noted that South Africa was able to establish a unified state. Most importantly, the democratic system has been accepted by most people in the society as reflecting the will of the populace. Court orders are generally accepted by other branches of government and the people. The constitution has ensured that transformation takes its course towards the establishment of the new order. In the main, the constitution played a fundamental role of creating a social compact within the society and managed to avert a civil war which was looming in the 1990s (Bilchitz et al, 2016:11).

Similarly, it is argued that unlike other long post-colonial states, the South African electoral institution commands respect internationally. These good attributes are due to the fact that since 1994, South Africa has been holding democratic elections. Since then the elections have been considered free and fair. At no time were elections not held when the fixed term lapsed. The proportion of women in the legislatures and in the executive shows an increase from 1994. The President's Fifteen Year Review indicated that a proportion of female representation in parliament after 2004 was one of the highest in the world. In addition, it is argued that South Africa has made tremendous strides in deepening participatory democracy. Legislations such as the Promotion of Access to Information Act of 2000 and the Promotion of Administrative Justice Act of 2000 were specifically designed to assist citizens to access state information and administrative justice. Strategic structures like participatory governance, consultative forums, advisory boards and grievance mechanisms have been put in place to ensure

that citizens participate in government and in decision making processes. Based on all these the research can say that South Africa's democracy can be a shining example in the region, continent and internationally (Twenty Year Review, 1994-2014:20).

However, this does not mean that South Africa is without internal problems. The years under the former president Jacob Zuma nearly saw the reversal of all tremendous gains towards the consolidation of this young democracy. This period of 2009 to 2018 was characterized by state capture, massive corruption, oligarchy, violation of the oath of office by the president and an attack on the judiciary as well as media freedom.

Recently, the chairperson of the board of Corruption Watch, Mavuso Msimang, in his annual report (2020) addressed the need to fix democracy in South Africa. He talked about the need to regulate party political funding which must include the funding for electoral contests for leadership positions in the political parties. He called for the removal of parliamentarians who are corrupt. He further stated there should be zero percent tolerance of those individuals who brazenly treat the courts with contempt. He also called for the moral support of journalists and civil society organizations who are always taking a lead in the fight against corruption. The need to tackle head on, high profile perpetrators of corruption by government was also raised. He however, welcomed the arrest of the former eThekweni Mayor, Zandile Gumede and high profile politician and former Minister of State Security Bongani Bongo for corruption-related charges (News 24, 2020-04-15).

3.1.3 Lesotho Authoritarianism to Fragile Democracy

Lesotho, also known as 'The Kingdom of Lesotho' as it is historically known is a small country of about 1,958,042 people. It is surrounded by South Africa which makes it a land-locked country. As a result, it is regarded as one of the most underdeveloped

countries in the world. This makes it rely more on South Africa in terms of socio-economic advancement including employment opportunities (Country Watch, 2019).

As a point of departure it becomes logical to define the meaning of the concept 'Fragile Democracy' as a reflection of what the country's political systems went through in the past decades. Instead of giving a definition to the concept, Samuel Issacharoff gave an explanatory note which described the concept of 'Fragile Democracy'. (Issacharoff, 2006: 1406) as 'Democratic regimes around the world find themselves besieged by anti-democratic groups that seek to use the electoral arena as a forum to propagandize their causes and rally their supporters'.

In support of Samuel Issacharoff, Joseph Goebbels is cited in Issacharoff (2006:1408) when he gave a practical historical context of how democracy can sometimes become vulnerable. He described Adolf Hitler's final push to power which took place within the parameters of the democratic proceedings in Germany, and he tauntingly remarked that, 'This will always remain one of the best jokes of democracy, that it gave its deadly enemies the means by which it was destroyed'. Similarly, the US Ambassador to the Republic of South Sudan, Susan D. Page said that 'Democracy is hard earned, but easily lost. It is easy to become impatient with the pace of change and imperfect democratic processes and want to force that change along by undemocratic means. Such a path will not only crush the dreams of a young nation, but it will also lose the support of the United States, one of the strongest partners of South Sudan and its people' (Page, 2012:2).

Therefore, this clearly suggests that a transition from whatever system of governance to democracy if not guarded against, could revert to the old system or worse, which might include a military dictatorship type of government. In real terms, democracy without democratic instruments and institutions to assist in moving towards a final consolidation

remains vulnerable. Since gaining independence from Britain in 1966, Lesotho has never had political stability. This political instability is characterized by insecurity of governing institutions, politicians who lack patriotic spirit and political maturity, the lack of democratic institutions to promote democratic principles and practices as well as a breakdown of the rule of law.

In 1965 the country went to the polls which were contested by four main political parties namely: Basotho National Party (BNP), the Basotholand Congress Party (BCP), the Marematlou Freedom Party (MFP), and the Marematlou Party (MTP). The Basotho Congress Party won the elections by just a margin. When the country got independence the BCP became the official government. The BCP committed itself to the promotion of the rule of law and political tolerance. All this earned the BCP credibility to maintain political stability for that period. In the 1970 elections both the BNP and BCP could not achieve an outright majority individually, in order to hold office. Faced with imminent defeat the ruling party withheld the election results citing political intimidation, security issues and the communist threat as major reasons for this. Election results were never released. Surprisingly, in January 1970, Chief Leabua Jonathan of the BNP declared himself a Prime Minister. He then instituted a military government. The Prime Minister banned political parties and halted all elections. He then introduced a state of emergency, suspended the constitution, called for the arrest of political leaders and became the architect of the King's exile in Holland. Jonathan stayed in power for 16 years using military tactics to hold on to power (Jitsing et al 2017:15).

Military takeovers became the political order between 1986 and 1993 in the Kingdom of Lesotho. The situation remained stagnant up until the emergence of a strong civil society, which is said to still exist today. In 1993, General Ramaema handed over power to a democratically elected government. This marked a return to civilian rule. However, this was not sustained when a faction within the BPC broke away to establish the Lesotho Congress for Democracy (LCD) in 1997. Using the floor-crossing rule which

permitted MPs to cross-floor without losing seats, the majority MPs joined the LCD reducing the BPC to opposition benches. In 1998 the country's stability was compromised once more when the opposition Alliance which was the BNP and BCP questioned the outcome of the elections. The Lesotho Defence Force became less concerned, when the existing government was under siege, prompting the Prime Minister to seek intervention from SADC. The South African National Defence Force was sent there to restore the government under the mandate of SADC. The period between 2002 and 2012 appeared to have been more stable. In an unprecedented move in 2012, Prime Minister Pakalitha Mosisili broke away from the LDC to establish a new political party called the Democratic Congress (DC). As a result, a lot of smaller parties mushroomed and contested the 2012 elections. The votes were split among smaller parties, leaving no political party with an outright majority. However, the coalition government between the former three oppositions, the All Basotho Convention (ABC) (30 seats), the LDC (26 seats) and BNP (5 seats) was not sustained due to lack of trust (Jitsing, 2011:17).

The failure of the coalition government created an opportunity for the army to try and overthrow the government, but again the SANDF went in to stop such a military coup in 2014. During this period of upheavals Prime Minister Thomas Thabane had to flee to South Africa for refuge. When the 2017 general elections could not produce an outright winner, the political instability in the country worsened. Recently, the political crisis has been exacerbated by continued personal clashes, political infighting and intra-party struggles for power. All these could delay the process of ongoing reforms taking place in the country. While several human rights atrocities were committed mainly by the security police during the same period. This prompted the African Commission on Human and Peoples' Rights (ACHPR) to call on the government to support the relevant structures to investigate human rights violations. This initiative was also supported by the European Union by rallying behind the people of Lesotho and called for explicit political reforms. Of serious concern is that between 2015 and 2017 two army Chiefs of Staff and several senior police officers were assassinated. These political killings

manifested themselves as a result of the numerous clashes between some elements in the army and the police who are loyal to various leaders divided by political factions. These killings form one of the most contributing factors to the current crisis afflicting Lesotho (Letshele, 2014:2-5).

It is concerning that even today the people of Lesotho do not have a legitimate government elected democratically under the universal franchise of one person one vote. It is within this background that the citizenry was compelled to demand that the King should be given more say on matters of national importance. This was because the people felt the constitution was unable to resolve the political impasse in the country. Therefore, given the fact that SADC became a regular visitor to the Kingdom, attests to the notion that indeed Lesotho is a fragile democracy.

3.1.4 Namibia: From Apartheid Colonialism to Young Democracy

Namibia has been a German colony since 1884 to 1915. German rule ended when it was defeated by South African forces during the WWI. Subsequently, Namibia was handed over to South Africa as mandated territory by the League of Nations.

It has a population of about 2, 6 million persons (IMF Country Report, 2019). Like South Africa the Namibian people suffered double standards of colonialism as well as apartheid racism. It was against this background that led to the formation of the South West Peoples' Organization (SWAPO) in 1960 (Melber, 2003:309).

SWAPO waged a liberation struggle against the white minority regime of South Africa in all fronts including the armed struggle. The end of the cold war in 1989 brought about significant changes in South Africa which impacted on the political developments in Namibia. The 1989 election saw SWAPO win the majority of votes. In 1990 South Africa withdrew from Namibia and consequently it got its independence. When SWAPO came

to power, it introduced democracy as a governing model and set a tone towards democratization in the country. Since 1989-2014 SWAPO continued to increase its electoral percentage as the ruling party in all the elections. In the 2014 elections, it received 80% of the entire vote. This is by no means an indication that SWAPO was moving from a 'single party dominance' to a consolidated hegemony. The weak opposition had significantly, contributed towards one party dominance. The political strategy of the opposition political parties such as the DTA of Namibia (DTA), Rally of Democracy and Progress (RDP), All People's Party (APP) and United Democratic Front of Namibia (UDF) did not show any substantial presence suitable to challenge SWAPO (Melber, 2017:3-6).

However, in this regard, it is worth stating that in terms of Round 5 of the Afrobarometer survey commissioned in 2012, the Namibian political system seems to deliver more democracy than the population seems to demand. In terms of democratic satisfaction and the quality of elections, Namibia ranks high among the Afrobarometer countries on these questions as it does in other surveys and indices. Even on the delivery side of democracy, Namibians can attest to the fact that they feel well served under the current dispensation. The presence of democratic institutions, effective governance and capacity of government to deliver goods contributed to Namibians' optimism about the path to democratic consolidation in future (Lindeke, 2014:1-15). Despite the 'single political party dominance' of SWAPO, indications are that Namibia's young democracy is on the track towards democratic consolidation.

3.1.5 Eswatini: An Absolute Monarchy

Eswatini is one of the smallest countries in Africa, surrounded by South Africa and Mozambique which makes it a landlocked state. It is estimated that the latest population census is at about 1, 093,238 persons (Eswatini National Review Report, 2019: 1). Its economy depends heavily on South Africa. Eswatini is the only remaining absolute

monarchy in Africa. For the purpose of political development, it is imperative to give meaning to the concepts of absolutism and a monarchy. According to Jackson and Jackson, 1997:89) 'Monarchs inherit their absolute power by birth and often assert their right to rule as being eternal, inviolable, and God-ordained' (Botha, 2005:29).

In 1967 the country got its independence from Britain. The first post-independence elections were held in May 1972. The election contest was between the Imbokodvo National Movement (INM) which received 75% of the entire vote, and the Ngwane National Liberatory Congress (NNLC) which got more than 20% of the vote which gave it three seats in Parliament. In response to the NNLC election results the King, Sobhuza amended the 1968 constitution and dissolved parliament in 1973. He became an absolute ruler and restricted political activity by banning all political parties and trade unions. He argued that his actions were in accordance with Swazi culture arguing that he was right to remove the alien electoral contest which was inconsistent with Swazi way of life. In 1978 the king amended the constitution by strengthening the monarchy and completely suppressed political opposition. The electoral system based on 'Tinkhundla' was initiated, meaning that elections to parliament were on two tiers. In the first stage the tribal committees would elect an 80-member Electoral College. Then this body would choose 40 members of the assembly by secret ballot. The senate would consist of 20 members, 10 chosen by the assembly and 10 by the king. Elections under this arrangement took place in 1978. However, this could not go unchallenged. In 1988 and 1989 the People's United Democratic Movement (PUDEMO) mobilized for political reform with little success (Country Watch, 2019: 15).

Furthermore, the freedom of press does not exist in the Kingdom. For instance, in September 1999 the authorities charged Bheki Makhubu, editor-in-chief of the Times of Swaziland for publishing an unflattering profile of Liphovela Senteni, fiancée of the King Mswati III. As a result, the South African National Committee of the International Press Freedom, which represents about 2000 editors and newspaper publishers around the

world called for all the charges to be withdrawn and his reinstatement as the editor of the newspaper. In 2000 the political resistance in the country was intensified by PUDEMO and the Swaziland Federation of Trade Unions (SFTU) which was partly supported by the Congress of South African Trade Unions (COSATU). In mid-2002 the leader of PUDEMO Mario Masuku called for the democratization of Swaziland and the complete removal of the monarch. He was arrested and charged for treason on grounds that he called for the removal of the king (Country Watch, 2016: 14).

Recent developments indicate that the more the king initiates political reforms, the more the situation remains the same. The promised electoral reforms prior to the 2008 elections saw the return of the old electoral system of 'Tinkhundla' and this prompted the banned main political party PUDEMO to call for the boycott of those elections. Despite PUDEMO's clear message, on Election Day voters went to the polls under heavy security after pro-democracy activists took to the street in protest. Again in the 2013 elections, PUDEMO and the international observers this time saw the elections as a shame intended only to legitimize and strengthened the absolute monarchy. Despite several attempts by pro-democracy groups in collaboration with the trade union movement to call for political reforms, the political situation in Eswatini remained unchallenged.

On the other hand, King Mswati III continued to call Eswatini a monarchical democracy to date. In sharp contrast, rights groups and the Freedom House have condemned the political system in the country. The Freedom House further accused the monarch of controlling and appointing office bearers who were loyal to the king. The extravagant life style of the king's multiple wives is also a cause for concern. The people of Eswatini are still governed by a monarch with absolute power to rule. The king as head of state holds supreme executive, legislative and judicial powers (World Bank, 2018:5).

3.2. The formation of SADC

The end of the WWII brought about significant political developments which eventually led into the rearrangement of relationships among states and the world order. Many countries saw the fascist ideology as responsible for the outbreak of the WWII and its devastating consequences. The aspect of peace and security became a dominant feature at the global level that led to the formation of the United Nations (UN) to become an international body of all the nations. The objective was to foster friendly cooperation among nations towards the promotion of world peace and security.

Regional international organizations like the EU, AU, ASEAN and many more were established in order to deal with regional matters such as regional integration, trade and economic cooperation. Since many states rejected fascism they opted for democracy as the best system of governance. Colonialism in Southern Africa and apartheid in South Africa contributed significantly to the evolution of regionalism. As the spirit of anti-colonialism and the Pan-Africanist ideology gained momentum in Southern Africa, countries like Angola, Botswana, Tanzania, Mozambique, and Nigeria established themselves into the Front Line States (FLS) in 1974. The idea was to free themselves from economic domination and dependence on South Africa and to assist the liberation struggle of the oppressed South African majority against the apartheid regime. Later, the SADCC (Southern African Development Coordinating Conference) was founded by nine independent African states which included six FLS states, Botswana, Tanzania, Mozambique, Zambia, Zimbabwe, and Angola, together with Lesotho, Malawi, and Swaziland (Eswatini) in Lusaka with the same principles of the FLS. There was the rejection of neo-liberal approach which favoured the primacy of the market mechanism over government intervention into the economy. Rather they adopted the Programme of Action which concretized and specified economic areas to be carried out. The end of the Cold War in 1989 signified the shift of balance of power in world politics. SADCC with its Pan Africanist stance needed to readjust and reposition itself into the new world order. The existing internal and external challenges within SADCC and its hostile

attitude towards South Africa needed to be resolved as South Africa was now on the path to the new democratic dispensation (Hwang, 2007:8-12).

This precipitated into the renaming of SADCC to SADC in 1992. After all member states present signed the Treaty establishing SADC they became legitimate members of the regional body, and in 1994 South Africa became an official member of SADC.

3.2.1 The objectives of SADC

As a regional organization SADC has committed to work towards the promotion of sustainable and equitable economic growth and socio-economic development in order to deal with poverty alleviation and completely eradicate it for the improvement of the standard and quality of life of the people of the Southern African region. With economic integration, SADC strives to support the socially disadvantaged majority in the region. Politically, SADC seeks to promote common political values and other norms that are rooted in the democratic institutions and practices for the purpose of legitimacy and effectiveness in the regional political spheres. It is the objective of SADC to ensure peace, security and stability through the consolidation and maintenance of democratic practices. In order to promote developmental goals, SADC seeks to foster interdependence among member states by promoting self-sustainable development and collective self-reliance. For the purpose of common understanding, SADC strives to achieve complimentary and harmonized strategies between national and regional programs. SADC seeks to promote gender balance in order to achieve community building. On the aspect of basic health care, SADC commits to combat the spread of HIV/AIDS or other deadly and communicable diseases and to tighten and consolidate the long historical, social and cultural empathy and links among the people of the Southern region (SADC Treaty, 2014:5).

3.2.2 The principle of establishing regional community

As a regional body, SADC has got its own aims and objectives. In the main, it strives to achieve regional economic integration, trade and development, peace and security, and growth, alleviate poverty, enhance the standard and quality of life of the peoples of Southern Africa and support the socially disadvantaged through regional integration. In the main SADC has committed to safeguard and promote good governance and democracy (Ngadwe 2013:5). On the other hand, there is the Southern African Development Community Lawyers' Association (SADCLA). Its responsibility is to strengthen good governance practices in the SADC region. However, is there a harmonized working relation between SADC and SADCLA in supporting SADC initiatives with aspects of good governance and democracy? The question of illegal migration as stated above is also a problem in the region and has got a direct link to aspects of governance. The displacement of civilians in other parts of the region has a direct negative impact on South Africa's political and socio-economic transformation points to the challenges facing the SADCLA and SADC in general. Strong institutions and good democratic practices are not visible in Zimbabwe and other parts of the region. Are judicial organs encouraged to accept the fact that judicial independence and judicial accountability are the ultimate guarantors and protectors of the fundamental human rights? Does the SADCLA play a critical role in the SADC justice system in order to ensure fair practice of the rule of law?

Historically, throughout the years, all the conferences of SADCLA revolved around the stated objectives of the association, namely;

- To uphold the Rule of Law throughout the SADC region;
- To promote the respect for Human Rights, with the emphasis on women;
- To develop the legal systems in all the SADC countries;

- To ensure the proper administration of justice, and generally to encourage harmonisation of the legal systems in the region;
- To develop excellence in the services rendered to the public;
- To advance the interests of members (SADCLA, 2009).

In terms of SADC's established principles, it is expected that SADC and its member states will act in accordance with the following principles. While it is to preserve equality and sovereignty of member states, it also has a principle that seeks to protect human rights, promote democracy and deepen the rule of law. Furthermore, SADC will demonstrate solidarity, peace and security among member states. In its daily execution of its business SADC will maintain the principle of equity, balance and mutual interest within member states. In case of challenges and conflict the SADC is committed to resolving disputes through peaceful settlement. In the past decade the SADC had placed much attention on matters of democratic governance, human rights, rule of law, democratic elections, issues on defence, security, peace, economic integration and resolving conflicts through peace-making as well as peace-keeping (Matlosa and Lotshwao, 2010:2).

3.2.3 SADC Organs and Functions

3.2.3.1 SADC summit of Heads of States

The summit refers to the meetings of all SADC heads of state or governments. It consists of the Heads of States or governments and is the supreme policy-making institution of the SADC. As a supreme organ, it is responsible for the general operation by giving direction and control of the functions of the SADC. This summit is responsible for the adoption of protocols, declarations, conventions and other legal instruments. The Heads of States Summit aims to work towards the realization of the institutional objectives which include the raising of the standard of living for the people of the region.

This can be achieved through the promotion of poverty eradication programs, economic integration, and creation of free trade among member states and sustainable use of natural resources. Therefore, in order to realize all these, the SADC needs to create a workable environment by ensuring the promotion and safeguarding of peace and security in the region. The Summit elects the SADC Summit Troika who are be the current chairperson, outgoing chairperson and incoming chairperson. The Summit also has a duty to appoint the secretary and the deputy secretary who together constitute the secretariat desk (SADC Treaty 2014:10).

The Summit is tasked with the responsibility of the accession of new members into the organization and the establishment of new organs and committees of the SADC. At the level of the Summit, decisions and deadlock breaking mechanisms are conducted on a consensus basis and once decisions are agreed upon they become binding for the member states. The schedule for Summit sitting is on an annual basis but in an emergency an extraordinary Summit can be called to deal with a specific urgent matter. In practical terms, it is the prerogative of the Summit to take decisions on governance and democratic matters. As a result the Summit becomes one of the most powerful structures of the SADC to an extent that even the secretariat depends on the Summit resolutions to coordinate and manage the entire administrative duties of the SADC (SADC Treaty 2014:10).

3.2.3.2 Council of Ministers

The Council of Ministers is an essential institution which comprises of Ministers from each member state, especially those responsible for foreign affairs, economic planning or finances in their respective countries. Placed before the Council of Ministers, is the onus to advise the Summit on policy issues and on the effective functionality of the organization. The Council is accountable to the Summit and it develops the SADC Common Agenda, strategic priorities and programmes. It plays a critical role in

additional areas of cooperation and recommends the approval of the protocol to the Summit. In addition, the Council of Ministers has a role to play by making suggestions for the amendment of the SADC Treaty. Of essence, the council is tasked with the responsibility to develop and implement the SADC Common Agenda and strategic priorities. The Council also recommends to the Summit the candidates for appointment to the position of executive secretary and deputy executive secretary. It has prerogative powers to endorse the appointment of the audit team which should be external and further negotiate the price and the terms of reference of the auditing proceedings. This Council, by virtue of its functions, becomes the chief financial organ of the SADC. The Council deals with the projection of the financial year, approves the budget of SADC and receives revenue. The Council meets four times a year in January and before Summit in August or September and is chaired by the same country that currently chairs the SADC (SADC Treaty, 2014:11-12).

3.2.3.3 Secretariat

The Secretariat is the chief executive institution of the Southern African Development Community with the responsibility of undertaking strategy development, planning and monitoring of the regional cooperation and integration agenda. It facilitates the implementation of SADC programs and activities to meet its objectives and overall goals of poverty eradication and regional integration. It is the prerogative functions of the Secretariat to implement the resolutions of the Summit, Troika of the Summit, Organ on Politics, Defence and Security Co-operation, Troika of the Organ on Politics, Defence and Security Co-operation, Council, Troika of the Council, Sectoral and Cluster Ministerial Committees and Troika of the Sectoral and Cluster Ministerial Committees. It is the responsibility of the Secretariat to ensure that SADC meetings are managed and organized in a professional manner. In addition, it is the duty of the secretariat to administer the financial transactions of the SADC (SADC Treaty, 2014:14).

The Secretariat has the dual responsibility of ensuring that the SADC is well represented and that its reputation is promoted. The Secretariat plays a critical role in terms of coordination and harmonization of SADC policies and the strategies of member states. To ensure gender equity, the Secretariat serves as the vanguard in gender mainstreaming in all the SADC programmes and activities. For the purpose of policy development, the Secretariat submits the harmonized policies and programmes to the Council for consideration and approval. For the purpose of checks and balances, the Secretariat has an important function of evaluating the implementation of regional policies and adopted programmes of SADC. The Secretariat must ensure that SADC information is made available to the community through the creation of an effective and reliable database. By and large, the Secretariat is responsible for the overall effective function of the SADC through the development of capacity, infrastructure and maintenance of intra-regional information and communication technology. The Secretariat has a crucial role to play in ensuring the preparation and submissions to the Council, for approval, administrative regulations, standing orders and rules for management of the affairs of the SADC (SADC Treaty, 2014:14).

3.2.3.4 Organ on Politics, Defense and Security Cooperation

The Organ is the political arm of SADC. The Organ was established at the Summit of Heads of States and government held on 28 June 1996 in Gaborone in Botswana. The SADC's most important legal framework for peace and security is the Protocol on Politics, Defence and Security Cooperation (OPDSC), which was reviewed in August 2001, during a Summit meeting in Malawi. This amendment of the Treaty meant that the Organ was now officially recognized as one of the SADC institutions. In 1999 the OPDSC became an institutional branch to facilitate the organization's role in conflict resolution. The SADC views the organ as an institutional framework that assists the Summit to coordinate policies in the area of politics, defence and security. The mandate of this organ is to support the achievement and maintenance of security and the rule of law in SADC region. The mandate for the promotion of peace and security within the

region, i the promotion of human rights and the rule of law are responsibilities of this organ. The organ is also mandated to encourage member states to develop democratic institutions and practices and the observance of universal human rights of citizens within the SADC. It is also expected to encourage and monitor International Human Rights Conventions and treaties such as the Universal Declaration of Human Rights of the United Nations Charter on Human Rights. Most importantly, one of its specific objectives is to prevent, contain and resolve inter and intra-state conflict by peaceful means. The Organ is chaired by a Head of State or government and reports to Summit. The Organ's Ministerial Committee is comprised of the Ministers responsible for Foreign Affairs, Defence, Public and State Security from the SADC member states (SADC, 2005:14-15).

This Organ on Politics, Defence and Security Cooperation (OPDSC) outlines a framework upon which member states coordinate peace, defence and security issues, and is comprised of two committees that make key decisions which are the Inter-State Defence and Security Committee (ISDSC) and the Inter-State Politics and Diplomacy Committee (ISPC). Based on the mandate of this Organ, SADC continues to strive towards resolving conflict through peaceful means. It adjudicates conflict arising between and within member states through preventive diplomacy, negotiation, conciliation, good offices, mediation or arbitration. The OPDSC has a responsibility to committing states to consolidate, defend and maintain democracy, peace, security and stability (SADC Treaty, Article 5.1). The OPDSC further provides that the SADC shall promote the development of democratic institutions and practices within the territories of State Parties (Protocol Article 2). It authorizes SADC action in case of gross violation of human rights, of a military coup or other threat to the legitimate authority of a state (Protocol, Article 11.2).

In its commitment to resolve intra-state and inter-state disputes, the SADC and its Troika provide the guidance and symbolize the political will to implement the AU

prescriptions for the establishment of Regional Brigades as components of the Africa Standby Force (ASF). This is in line with the SADC vision and the ultimate goal of the OPDSC and Mutual Defence Pact which is peace, stability and development. This is the commitment made by the SADC and that, if needs be, military force would be deployed to enforce peace (Van Nieuwkerk, 2006:10). Historically, the SADC has been involved in interventions to resolve conflict in the Democratic Republic of the Congo (DRC), Lesotho, Madagascar and Zimbabwe. At times military interventions backed by the armies of member states became necessary in the DRC (1997) and Lesotho (1998 and 2014). However, the success of the SADC in these interventions has been varied given the complex challenges presented by these conflicts.

3.2.3.5 SADC Tribunal (Article 16)

The SADC Tribunal was established by Article 16 of the SADC Treaty which has got powers to deal with the legal issues as a supreme judicial body. In November 2005 the Tribunal became operational when judges were officially appointed. The judges reside in Member States and only convene when the SADC experiences legal matters which benefit the expertise of the Tribunal. According to Zenda the 'Tribunal ensures adherence to policies and proper interpretation of the provisions of the Treaty and its subsidiary instruments and to adjudicate in dispute' (Magakwe, 2013:38-39).

The Tribunal provides legal opinions on certain issues referred to it by the Summit or the Council of Ministers pursuant to the SADC treaties or instruments such as the headquarters agreement. The Tribunal has a critical responsibility for adjudicating on matters of gross human rights violation and the contravention of the rule of law by member states. Judges are nominated by member states and appointed by the Summit for a renewable five year term. The decisions of the Tribunal are binding to member states. The Tribunal did suffer serious setbacks when on 17 August 2012, the Maputo SADC Summit resolved to amend the Tribunal, thereby issues of human rights would be

confined to the interpretation of the SADC Treaty and its relevance to Protocols in cases of disputes between member states which, is a rare occurrence. This action would mean that human rights abuses and contravention of the rule of law by member states will be on the rise. Consequently, the SADC Tribunal have left the SADC citizens with few or no regional remedies for any human rights violations by their governments (Chimira and Mokone, 2016:24).

3.3. Trends of Regional Conflict within SADC

3.3.1 What is the Nature of Conflict?

Like any other regional organization in the world, since its inception the SADC has experienced a considerable number of challenges in the region. While SADC countries have done well in social and economic aspects such as health, education, technology and communication, it appears it has not done well on the political front.

The nature of political challenges that the SADC faced can be looked at from the perspective of the history of the political development of five countries since gaining independence, South Africa, Namibia, Zimbabwe, Lesotho and Eswatini. In essence, there are indications of several grey areas located within the political institutions of certain of these countries.

Three countries were most affected with regard to internal political instability (i.e. Lesotho, Eswatini and Zimbabwe. Since independence in 1966, Lesotho has never seen a stable political environment. Shortly after independence the country was under

the rule of an authoritarian government for 16 years from 1970. Between 1986 and 1993 the country experienced one military coup after another. This political trend continued up to 2014 when the Lesotho Defence Force attempted another military takeover. The situation worsened when between 2015 and 2017 two army generals and several senior police officers were killed. The army and police clashed in factional battles led by politicians as a result of the dysfunctional coalition government. Seemingly, the problem in Lesotho is not the political system but politicians. Everybody wanted to be a politician there including members of the army and the police force who are supposed to protect the country and the civilians respectively. The absence of democratic institutions to safeguard democracy was another factor. Furthermore, the mushrooming of political parties was not informed by principle or patriotism but rather by personality cults. Moreover, the floor-crossing rule did not assist the transition to democratic rule and was abused for narrow political gains by politicians.

Another country with a major political problem is the monarchical regime in Eswatini. In the past two decades the country witnessed intense massive protests calling for the democratization of the monarchical regime. The actions of the King were clear that anyone who wanted to participate in the politics of the country had to do so within the confines of the monarchical structural arrangements. A similar situation led to the overthrow of the king in France during the French Revolution in 1789, and the 1917 Russian revolution. It is quite unthinkable that more than two hundred years after the people in Europe and elsewhere have rejected absolute monarchy as a form of government the king in Eswatini is still holding on to his power.

Lastly, Zimbabwe and details of the conflict in the country will be discussed in chapter four of this study. What should be noted is that the authoritative nature of the Zimbabwean government is responsible for the economic and political crisis in the country. The democratic principles in Zimbabwe are long buried. From 2000 to 2008 Zimbabwe has been in the world news because of its continued political repression

against the political opposition and the absence of the rule of law in the country. However, it is only fair to indicate that the root cause of the problems in the country partly point to some challenges regarding a personality cult. The ZANU-PF has allowed Mugabe to rule Zimbabwe like his own kingdom. The building of a political party around one individual in a single dominant political party culture does not foster stability or democracy

3.4. Conclusion

This chapter has discussed political developments in five SADC countries with the view of gaining insight in relation to their political, social and economic performances. It has established that certain countries are moving towards democratic consolidation but others are lagging behind. SADC's performance in the region can only be evaluated based on empirical data .It has become clear that Zimbabwe and South Africa have developed strong political ties emanating from the Harare Declaration. Therefore, for a regional power bloc like South Africa to have closer political ties with a country like Zimbabwe with a continuing poor record on the protection of democratic principles may influence and impact on the work of the SADC..

CHAPTER FOUR

The Development of the Conflict in Zimbabwe

4.0. Introduction

The previous discussion looked into the history of the political developments of four SADC countries as well as Zimbabwe with a view of assessing their political challenges since independence. Another objective was to investigate their current political systems of governance. This chapter will look more closely at Zimbabwe as the focal point of the study. It is by now clear that Zimbabwe as a SADC member state has also been engulfed by political instability. The objective of this chapter is to find out how the conflict developed to where it is today and its causes. The nature of interventions by SADC will be looked at. The final assessment will be done in the concluding chapter five which follows this one.

4.1. Emergence of the Zimbabwean conflict

Various scholars have defined the concept of conflict in many different ways based on the particular disciplines they were studying about. According to Nicholson “conflict is an existing disagreement or hostility between two or more people” (Folarin, 2015:2). From a political perspective, Jeong states that “conflict is said to exist when two or more groups engage in a struggle over values and claims to status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate the rivals” (Folarin, 2015:2). This means that the contender may be looking for solutions but the incumbent willing to maintain the status quo. This may eventually lead to political violence and revolution in a country engulfed by political conflict.

The peaceful settlement of the Zimbabwean liberation is examined leading to independence. After a long protracted struggle for liberation against British colonialism,

in 1979 the British government finally conceded defeat. This meant that the colonial government was willing to negotiate the peaceful transfer of political power to the elected Constituent Assembly. This was to be done through the signing of the Lancaster House Agreement in 1979 in London. Lord Carrington was the chairperson of the conference. The liberation movement's Patriotic Front was led by Robert Mugabe and Joshua Nkomo. This initiative included the adoption of a new constitution which was going to govern the country going forward. During the conference, the land issue (which was still in the hands of white farmers), was raised. The Patriotic Front argued that the land question was the central theme of the liberation struggle, along with democratic majority rule, the protection of human rights and the holding of free and fair elections. No intimidation during electioneering and the protection of the minority rights were contentious issues. After long discussions and negotiations an agreement was reached. On the land question it was resolved that the British government would make funds available on the principle of a willing seller and willing buyer. This arrangement would later prove to be one of the long term causes of the Zimbabwean conflict. On 14 December 1979 a cease fire agreement was reached based on the new constitution (Lancaster House Constitution, 1979).

The outcome of the negotiated settlement proved that the liberation movements made a lot of constitutional compromises. These were the forced acceptance of the restrictive land reform strategy, the provision relating to the executive powers, the arrangements of the legislature and the judiciary as well as the guaranteeing of the racial interests in the Bill of Rights including the securing of the voters roll for the white population. It became clear that what Lord Carrington wanted was a push towards a ceasefire agreement. However, ZANU won the elections which were to follow and Zimbabwe became an independent state on April 1980 with Mugabe as Prime Minister. Shortly after independence, violence broke out in Mathabela land which was characterized by human rights abuses and led to serious casualties. This was a government sponsored political campaign because the Mathabela land people seemed to be disloyal to Mugabe. The impasse was resolved in 1987 when the ZAPU and ZANU merged to form ZANU-PF as

a single dominant party in Zimbabwe. The economic challenges of the time created a space for increased government opposition when the MDC came into the political arena late in 1990s. Therefore, it could be correct to say that since 1990 to date, Zimbabwe has continued to experience a complete economic crisis and widespread human rights violations. The fact that by 2009 the country had the highest inflation rate and the economy shrunk by a third clearly attests to this situation (Ndula, 2016:180).

In 2000, the failure of the referendum aimed at amending the constitution brought about political uncertainty to the ruling ZANU-PF. The constitutional amendments were aimed at ensuring that Mugabe would run for office for two more terms and that the government officials would be exonerated from prosecution. Controversially, the amendments were also designed to permit government to seize land from white farmers without compensation. Threatened by the growth of the MDC's support base on the ground, the ruling party masterminded a programme of action. The land issue became a fallback position of the ZANU-PF. The liberation war veterans were mobilized to forcefully invade arable land belonging to white farmers. This programme became violent and in the process, many lives were lost. It also led into serious allegations of human rights abuses. However, it is worth mentioning that what triggered the violent programme of action was the hostile diplomatic position that the British government adopted. Blair and his administration abruptly announced that the British government would not commit funds for land purchase in Zimbabwe. Blair was later criticized by the current British Prime Minister, Boris Johnson for having greatly contributed to the current crisis in Zimbabwe.

The violent land invasion in Zimbabwe received worldwide condemnation. President Mugabe's image and his government were tarnished internationally. Various regional and international organizations, such as the Common Wealth Countries, EU and the United Nations accused the Zimbabwean government of having violated the Declaration of Human Rights of the United Nations. Together with these organizations; civil society

organizations and non-governmental organizations under the banner of the international community mobilized for economic sanctions against the Zimbabwean government. Consequently, Zimbabwe's membership of the Commonwealth was suspended in 2002. Eventually, as more and more criticism intensified the Zimbabwean government withdrew from the Commonwealth. All these actions put much pressure on the already ailing economy.

In 2005 the ZANU-PF unleashed another controversial political programme to try and resolve issues related to informal urbanization in the cities. This notorious programme was called Operation Murambatsvina (Restore Order). It is regarded as one of the worst blunders of the ZANU-PF led government in the post-colonial dispensation. It involved massive human rights violations in which the government demolished what were termed to be illegal urban dwellings. The government propaganda alleged that the action was aimed at abolishing money laundering, the black market and illegally erected home industries in the informal sector. The United Nations Special Envoy to Zimbabwe reported that Operation Murambatsvina affected the most vulnerable in the process - women and children, the elderly, child-headed households and people living with HIV/AIDS (Dzimiri, 2017:59). It is estimated that 700,000 people were left homeless and 20% of the urban dwellers were affected in two ways either by loss of shelter or sources of income as the unemployed depended on informal sector for survival. The involvement of the army and security forces in the demolition made the entire project to appear politically motivated. Operation Murambatsvina was carried out during the winter season and shortly after the MDC defeated ZANU-PF in most urban centres in the 2005 elections. It was therefore perceived as a payback time against supporters of the ZANU-PF who lived in the cities. Hence the ZANU-PF government reeled in from such a defeat.

It is claimed that the operation was orchestrated to achieve two things. The first objective was to punish the voters in rural areas for deserting the ruling party. Secondly, it was meant to avoid easy mass mobilization by the MDC against the increasing economic downturn. Based on the Rome Statute of the International Criminal Court

(ICC) there was substantial evidence to support the fact that Operation Murambatsvina was indeed a crime against humanity. This catastrophic purge led to the displacement of several thousands of poor people into other countries. In addition, by carrying out such actions, the government of Zimbabwe violated the International Bill of Human Rights and the African Charter on Human and People's Rights of the people of Zimbabwe (Dzimiri, 2017:60).

Prior to 2008 elections, clear signs of economic collapse alongside lack of respect for the rule of law were beginning to show up. The consequence for this was high rates of unemployment, mass migration of citizens to other countries and weaker currency. In 2008, when ZANU-PF realized it had lost the elections, it deliberately delayed the announcement by more than three weeks. Moreover, when the ruling party realized that it would not even win the re-run, instead of calling for a re-run within the stipulated period of twenty-one days, the elections were held three months later. It is argued that ZANU-PF was still looking for mechanisms to deal decisively with the opposition. That is why within the three-month period a lot of political related violence was reported in other parts of the country. This was a clear breach of electoral laws coupled with the continued violation of the Global Political Agreement to ensure that it remained in power no matter what. As a result, a Government of National Unity was established after mediation process by former South African President Thabo Mbeki on behalf of the SADC. Mugabe remained president while Morgan Tsvangirai, leader of the MDC became Prime Minister. Even during the unity government, President Mugabe continued to undermine the Global Political Agreement by appointing permanent secretaries unilaterally. Without consulting other parties in government he again appointed the Reserve Bank governor, the Attorney General as well as provincial governors. Although the unity government under Tsvangirai as Prime Minister tried to work towards economic recovery, President Mugabe continued to exert the historical hegemony of the ZANU-PF within the government (Ndula, 2016:187)

4.2. What Was the Cause of the Zimbabwean Conflict?

It should be indicated that both long-term and short-term challenges are responsible for the conflict in Zimbabwe. Political, economic and social challenges are responsible for the situation which Zimbabwe faces today.

4.2.1 The Lancaster House Constitution

Zimbabwe got its independence through the signing of the Lancaster House Agreement and the constitution which became the supreme law of the country. The conference which took place in September and concluded in December 1979 was chaired by Lord Carrington, who dominated and dictated the terms.

Firstly, the time allocated to the conference was three months and was too little to come up with a balanced constitution. Lord Carrington represented British interests in the conference and was prepared to deliver on the mandate at all costs. It is worth noting that the Lancaster House Constitution was imposed and adopted through manipulation of the proceedings by the chairperson of the day without public consultation. Hence the document was unlikely to receive sufficient popularity or legitimacy.

Secondly, there was no public participation in developing the terms and conditions set therein to govern the population's relationship with their rulers. The outcomes of the final document indicated that the Patriotic Front representing the liberation movements did compromise to a great extent. The negotiations were to be completed within three months leaving fundamental issues unresolved. Several important issues, such as property rights and land reform could not receive maximum attention. It appeared that the chairperson of the session had a strategy to ensure these issues were not discussed extensively as they posed a threat of collapsing the talks.

When it became clear that the negotiations were about to collapse over the land question the British Commonwealth Secretary, Sir Shridath, appealed to the then President of the USA, Jimmy Carter to partner with UK and commit the USA to make resources available for land reform initiatives in Zimbabwe. On a positive note, Carter heeded the call and the imminent collapse of the talks was averted (Mlambo, 2014: 192-193). It was in line with this understanding that under Margaret Thatcher administration, the British government agreed to assist with funding the land redistribution programme which was to be based on the 'willing seller, willing buyer' principle at market price (Mashimbye, 2014:42).

No provision was made in the constitution on how to deal with the past human rights violations perpetrated by the colonial regime during the brutal liberation wars. Such a provision would have ensured that economic empowerment of the historically disadvantaged black communities became priority number one. Why? Because it was through the colonial racial legislations which perpetuated decades of discrimination that left the indigenous people landless and poor. Like in South Africa, maybe a truth and reconciliation body would have been necessary to set the new dispensation on the path of nation building and reconciliation in the country. Instead the constitution guaranteed the reservation of white seats in parliament.

By and large, it should be said without hesitation that the Lancaster Conference and its constitution should be regarded as the long term cause of the Zimbabwean conflict. Therefore, it can be argued that the Lancaster Constitution perpetuated the existence of the most unequal social structure in Zimbabwe based on the propertied and the dispossessed.

4.2.2 The 2000 Violent Land Invasion

About 80% of the arable land remained in the hands of the white farmers after two decades of independence in 2000. The principle of willing buyer willing seller did not materialize. According to (The Guardian, 2003) in 1997 the British Minister of International Development, Clare Short, pronounced that the Blair administration had no special responsibility to honour the costs of land purchase in Zimbabwe (Mashimbye, 2014: 42). The announcement by the Blair administration that the British government would not purchase land from white farmers in Zimbabwe for the purpose of land reform angered both Mugabe and the ZANU-PF. This announcement might have reminded Mugabe of the big compromises which were made during the Lancaster Conference with regard to the land question for the sake of ceasefire agreement.

The rejection of the ZANU-PF's manipulated draft constitution on February 2000 also angered Mugabe and his loyal surrogates and they consequently, felt humiliated. The rule of law was effectively set aside to give space to the war veterans to harass, beat up, rape, and assassinate political opponents especially those who resisted forcible land redistribution. Regrettably, the voice of civil society disappeared after the June 2000 parliamentary elections, leaving a vacuum which the war veterans exploited to carry out the wave of terror (Makhube, 2009:10).

Realizing that a possibility existed for the ZANU-PF to lose the forthcoming elections, the ZANU-PF engineered a programme of action. The programme of action was that land belonging to white farmers would be expropriated without compensation. This was also part of the electioneering strategy. ZANU-PF mobilized the war veterans to spearhead the ruthless campaign. Indeed, around the year 2000, the ruling party unleashed a wave of terror on anyone sitting in the way of land expropriation without compensation. On a daily basis, white farmers became targets and in a brutal manner they became victims of the circumstances. This illegal practice continued despite the

international community calling to halt the campaign. The question that could be asked is, were no other means to deal with this historical land issue?

This exercise alone sparked international outcry. Many organizations in the world criticized the Zimbabwean government of exercising racial discrimination and violation of human rights. The regional and international organizations like the EU took the lead in calling for economic sanctions against Zimbabwe. It is because of these international sanctions that the Zimbabwean economy was brought to its knees. Trying to recover from this devastating economic crisis, Mugabe looked to the east but the Zimbabwean economic challenges were too colossal for China to bailout.

Similarly, South Africa today is confronted with the same problems as Zimbabwe before 2000, pertaining to the land issue. Hopefully, maybe the South African government will have a far-sighted leadership to guide the process and not replicate the mistakes that the ZANU-PF adopted in trying to resolve the problem. It should be noted that the ANC led government has already pronounced on the same principle of land expropriation without compensation. It will be interesting to see what sorts of mechanisms are put in place to deal with the land issue in an amicable manner. Therefore, the violent land grab of 2000 is identified as one of the most contributory factors towards the economic calamity facing Zimbabwe today and is identified as the cause of conflict.

4.2.3 Operation Murambatsvina (Restore Order)

In 2005 the Zimbabwean government embarked on a campaign which it said was to clean up the cities of crowded informal dwellings. This campaign took place shortly after the 2005 general elections in which the MDC gained the majority of the votes in the cities. In contrast to the government's explanation for cleaning up the cities, many writers claimed that the action was aimed at punishing the party supporters who did not vote for the ruling ZANU-PF during the 2005 elections. A claim has also been registered

by the victims to suggest that the campaign was a political strategy to ensure that the support base of the MDC would be disrupted in the cities. This was a time in which the majority of the people were beginning to feel economic hardship resulting from sanctions. This would have made it easier for the MDC to mobilize protest action against the government in the cities rather than it would have been in the countryside.

Unexpectedly, the operation was carried out in a military style. In practical terms the army and the police physically carried out the action. They demolished the informal homesteads of the economically burdened unemployed masses. They burned and bulldozed thousands of businesses and homes operating without permits. This demolition had devastating effects on the lives of the vulnerable innocent civilians. UN officials estimated that about 700,000 people were left homeless. As a result, the operation assisted in reviving the refocused attention of the international community on Zimbabwe. Operation Murambatsvina received worldwide condemnation. Regional and international organizations anchored each other's calls for the intensification of sanctions on all fronts against the Zimbabwean government. In addition, the former UN Secretary-General Kofi Anan, decided to send a Special Envoy led by Anna Tibaijuka to Zimbabwe to investigate and present a report on what needed to be done to address the humanitarian crisis (Nicolai, 2006:4).

In 2006 the Zimbabwean economy was already showing signs of decline. For example, Zimbabwe's gross domestic product (GDP) had shrunk by a cumulative 40% between 1998 and 2006. The country also had the world's largest budget deficit at 10%. When the finance minister presented the Mid-Term Fiscal Policy Review in July 2006 he noted the following as challenges: corruption, rising inflation, declining savings and investment, inadequate foreign exchange affecting import capacity, erratic fuel supply and interruptions to the electricity supply (Makhube, 2009:4).

Therefore, it can be emphasized that Operation Murambatsvina is regarded as the worst blunder of the ZANU-PF led government in the history of the post-colonial period in the country. As a result the image of the Zimbabwean government continued on a downward spiral. Mugabe, as leader of the Zimbabwean government, lost credibility internationally.

4.2.4 The 2008 elections in Zimbabwe

The Zimbabwean constitution provides for a constitutional democracy, with a President who is not a member of parliament. The electoral system is based on the first past the post or majoritarian system. Since 2000, ZANU-PF has been on the offensive, primarily because of fear of losing the elections. Its strategies were equivalent to that of a fascist state where the rule of law is not only selectively applied but fresh draconian laws are engineered and utilized as instruments for repression. According to Claude Ake 'in most post-colonial states, the emergent political elite inherit the repressive colonial laws and use them against the very people they once fought to liberate' (Ake 1981).

Zimbabwe has a long history of political manipulation dating back from the 2002 to the 2008 elections. Faced with prospects of electoral defeat, the ZANU-PF applied a battery electoral maneuvering and violent abuses against the opposition to cling to power. Regrettably, SADC has been involved in the monitoring processes but eventually moved towards the certification of a series of disputed elections in Zimbabwe. In 2007, the state provocateurs attacked a peaceful demonstration which resulted in the killing of one person; fifty were hospitalized including Morgan Tsvangirai, leader of MDC, and close to two hundred innocent demonstrators were arrested. A crackdown followed in which members of the opposition were beaten up in full view of their families or abducted to secret torture camps. The SADC intervened and mandated the former

President of South Africa Thabo Mbeki to facilitate a dialogue between Mugabe and Tsvangirai. At times Mugabe did not show willingness to cooperate accused Tsvangirai of being a puppet of western neo-colonialism. Later, the two agreed on the need to level the playing field prior to the forthcoming elections in 2008. The outcome of the 2008 elections showed that neither Tsvangirai nor Mugabe received enough votes to hold office. Mugabe received 43% and Tsvangirai 48% of the vote. As a result, a runoff was scheduled for June 27th 2008. Clouded by uncertainty, the ZANU-PF orchestrated political violence with military style tactics. The country was divided into ten provincial command centres administered by two hundred soldiers who were deployed mainly in rural areas to train and mobilize militia. These soldiers burned houses, invaded farms and intimidated the electorate (Bratton and Penar, 2018:16).

The wave of terror left about two hundred MDC officials and sympathizers dead and more than 2000 people uprooted from their families. Despite Tsvangirai's appeal to African and Western countries to isolate Mugabe's regime, the wave of terror intensified. Fearing for his life, Tsvangirai withdrew from the elections. Consequently, Mugabe was left to claim a hollow victory, with about 85% of the vote from a brutalized and shrunken electorate. SADC and AU observer missions pronounced that the outcome did not represent the will of the people of Zimbabwe (Pallotti, 2013:35). Following the AU summit in Egypt, with a restless Mugabe in attendance, African leaders from Kenya, Botswana, Nigeria, Liberia, and Senegal unequivocally condemned the violence, with some calling for the suspension of Zimbabwe from the AU and to allow for a fresh election in the presence of peacekeeping missions to be held.

Finally, a deal was brokered resulting in power sharing and the establishment of a Unity Government with Mugabe as President and Tsvangirai as his Prime Minister. The government of national unity was based on the principle of the Global Political Agreement (GPA) which allowed South Africa to continue facilitating electoral reforms in Zimbabwe. The Unity Government did not deliver on its mandate of achieving

democratic reforms, more especially electoral reforms (Bratton and Penar, 2018:20). It is for this reason that the 2013 and 2018 elections won by the ZANU-PF continued to reflect some electoral flaws. Moreover, lack of political tolerance, intimidation, military tactics and the inability of the ZANU-PF to accede to calls for electoral reforms posed a serious challenge to the country. Therefore, without hesitation all these factors above constituted a political crisis and part of the ongoing Zimbabwean conflict.

4.3. Political Decay in Zimbabwe

4.3.1 Distorted Liberation in Zimbabwe 1979 to 1990

As stated previously, Zimbabwe got its independence in 1980 through a negotiated settlement. The outcome of the negotiations in London produced a document called the Lancaster House Constitution. This constitution became the supreme law of Zimbabwe. In order to understand the constitutional development in the country it becomes necessary to examine the Lancaster Constitution. The constitution contained both good and the bad constitutional principles for the Zimbabweans.

On the negative side there were several issues. Firstly, Lord Carrington who presided over the conference became the referee and the player at the same time. This practice allowed him to dominate and manipulate the proceedings of the conference. Throughout the proceedings his emphasis was on the need for the other stakeholders to cease fire as the first priority, without paying much attention to the structure of the fundamental issues. The conference had only three months to deal with what had been destroyed by decades of colonial rule. Furthermore, the conference did not take place in a neutral venue with a neutral chairperson.

Secondly, the representatives of the Zimbabwean masses in particular the Patriotic Front, lacked insights concerning constitutional processes and procedures. This Patriotic Front delegation was fresh from the bush. Thirdly, the constitution did not give a clear detailed exposition on how the future constitutional development would come about. For example, no democracy can survive without democratic instruments.

The reservation of white seats in the Senate and the lower house could be interpreted differently. This principle also gave the right of veto to the white minority in the legislature to oppose any thing perceived to be detrimental to the interest of white supremacy in the country (Mashimbye, 2017:40). Some may argue that such a provision was specifically designed to protect white interests and the neo-liberal economy. Others may question the legitimacy of a government that would have been elected on the basis of two separate electoral rolls.

The Lancaster House Constitution did not spell out how the imbalances of the past located in the legacy of colonialism would be addressed. Lastly, the land question and the large sector of the economy remaining in the hands of the white minority did not receive adequate planning. On the land question, the SADC leaders have argued that for land reform to be sustainable it would have been appropriate for the Zimbabwean government to handle it peacefully and within the provisions of the laws of Zimbabwe. On the other hand it was important for the United Kingdom government to honour its obligations under the Lancaster House Agreement to provide resources for land redistribution (Pallotti, 2013:32). In an attempt to understand more, one may conclude and say that the Lancaster document was a long cooked meal. The Patriotic Front went there just to rubberstamp the proceedings of the conference.

On the positive side, a transition from colonialism to democracy is not one event but a challenging process. The Lancaster House Constitution was primarily crafted to transfer power from the colonial authority to the people of Zimbabwe. Despite a lot of compromises that the Patriotic Front made, the document created a platform upon

which the unresolved objectives of the liberation struggle could have been taken forward. That is why in 1981 to 1990 about eight constitutional amendments were made by the ZANU-PF government. For example, in 1981 the amended Act reduced the qualification period of lawyers to the judiciary and Senate Legal Committee so as to make these posts accessible to black lawyers. In 1981, another amendment created a separate Supreme Court from the High Court; in 1983 it afforded Parliament powers to abolish dual citizenship and in 1987 ended the separate electoral roll for whites. The ZANU-PF should have opened up civil society to play its role in influencing change in the country. Therefore, the Lancaster House Constitution cannot be entirely blamed for the political rot in Zimbabwe today. It was not a completely defective constitution (Zhou, 2014:71-72).

4.3.2 The Human Rights Violation

Since the 1990s, the human rights of some ordinary citizens and pro-democracy activists have been violated by government officials and other unscrupulous people in Zimbabwe. It is an open secret that these acts of gross human rights violations were perpetrated by the ZANU-PF government through its different organs in order to achieve political goals.

The wave of terror in which the ZANU-PF government implemented the fast-track land reform programme in 2000 resulted in the violation of a number of human rights prescribed in the African Charter, including the right to property (Article 14). Moreover, other rights which were violated included the right to freedom from discrimination (Article 2), equality before the law (Article 3), the right to life (Article 4), the right to liberty (Article 5), the right to have one's cause heard (Article 7), and the right to work under equitable and satisfactory conditions (Article 15). This programme was spearheaded by war veterans (African commission, 2007:4).

In the process, the ruling party militia led by liberation war veterans unleashed acts of violence against white farmers and farm workers. Between 2000 and 2004, they utilized already occupied farms as bases to launch attacks against the local people. The way in which this programme was implemented raises serious doubts as to who was meant to benefit as government indicated the poor masses and middle-income landless black citizens. The government failed to produce a programme on how the process of allocating land would look like. In practical terms, supporters of the opposition parties and thousands of farm workers were sidelined in the programme. Farm workers were driven out of the farms which they used as places to sleep as the commercial agricultural production collapsed.

As if the violent land grab was not enough, the government launched another campaign known as Operation Murambatsvina (Restore Order) in 2005. It was during this period that the government violently destroyed informal housing and business units, first in Harare and then in other cities in the country. President Mugabe showed no sympathy for the victims and supported the operation. The police razed Harare's biggest illegal settlement, Tongogara at Whitecliff along Bulawayo road to the ground. While addressing the ZANU-PF central committee session he said 'Our cities and towns had deteriorated to the level that was a real cause for concern. Apart from failing reticulation systems and broken roads, our cities and towns, including Harare, the capital, had become havens of illicit and criminal practices and activities which just could not be allowed to go on'(Mufema, 2007:14).

It was because of this programme that highly vulnerable people were displaced. Operation Murambatsvina became the talk of the world until the former UN Secretary General sent a United Nations Special Envoy (UNSE) led by Anna K. Tibaijuka on a fact finding mission. According to her, the total figures of people directly affected ranged from 650,000 to 700,000. People lost their homes, sources of livelihood or both. An

estimated 83,530 children under the age of 5 years were displaced by the Operation. A further 113,000 children between 5 and 11, and 109,000 between 12 and 18 were disrupted from schooling. The UNSE report further indicated that a large number of Zimbabwe's orphans and street children, were also affected (Mufema, 2007:16).

It was after the release of the report that the international community came to learn more about the humanitarian crisis brought about by the Operation. The EU and UN called for the intensification of sanctions against Zimbabwe. The SADC made no statement. Zimbabwean Human Rights Lawyers (ZHRL) searched for legal action to address the effects of the Operation. Archbishop Pius Ncube added his voice against human rights violations and poor governance in the country.

4.3.3 The Captured Zimbabwean Electoral Commission (ZEC)

In contemporary politics and modern democracies, the electoral institution is respected when it is apolitical. One of its mandates is to educate citizens about the democratic election procedures. Electoral commissions also educate people on how to vote. Furthermore, this institution should support and entrench human rights and democracy to protect the sovereignty of the people, promote constitutionalism, transparency and accountability in public institutions, and secure the observance of democratic values in all institutions and government agencies, and to ensure that injustices are remedied. In its entire business, the principle of transparency should at all times be observed.

In the 2002 elections in Zimbabwe, there were reports of political intimidation, lack of tolerance and political harassment of members of the political opposition. Opposition political parties were not given enough space in the media for electioneering. The quiet diplomacy of the Zimbabwean Electoral Commission in the presence of political intimidation was a cause for concern. According to Kadima & Matlosa (2008) the

changes in election management left some issues unaddressed regarding ZEC's autonomy as an election organizer, particularly its close relationship with ZANU-PF and government. Thus the ZEC's role in the electoral process appeared to be more supervisory than policy-making with ineffective management. During the Harmonized Elections of 2008, irresponsible statements were made that amounted to hate speech and political intimidation by security chiefs asserting they would not recognize victory of the Presidential elections won by the opposition. The government and ZEC did nothing to condemn such frightening statements in an election environment (Kadima and Matlosa 2008).

Evidence of this institution's shortcoming was the failure to pronounce immediately the outcome of the presidential elections in 29 March 2008 immediately. It took the commission more than three weeks to proclaim the results. It also failed to challenge the demand for a recount of votes lodged by ZANU-PF. Furthermore, the Commission failed to postpone the re-run scheduled for June in the midst of political violence, fear, and intimidation resulting in the decision by the leader of opposition MDC Morgan Tsvangirai to withdraw. Despite the fact that the electoral body in Zimbabwe made several amendments, its close association with the ruling party compromised its credibility.

The principles developed by the SADC in 2004 contained in the Guidelines Governing Democratic Elections are very clear. The guidelines state that; results should be announced within 5 days of the presidential elections, visible indelible ink as opposed to invisible indelible ink should be used, translucent instead of wooden ballot boxes should be utilized, counting of ballots should occur at the polling station level and not at the constituency centres with posting of results outside polling stations. Additionally the guidelines include the need to increase transparency through the sharing of information with all political parties and participants in an election with information relating to the total number of ballots printed and ballots distributed to each polling station. Also within

the Electoral Act there was a provision regarding the need for a lack of political violence and no amendment to the Electoral law being allowed unless the Commission has been consulted and any recommendations it would make being duly considered (Makoni, 2017:22)

Although ZEC had adopted the Principle Guidelines Governing Democratic Elections, it had little influence on the behavior of politicians. The lack of influence of institutions such as the electoral bodies led to the restriction of electoral information, political freedom and political choices of the voters. Regrettably, Zimbabwe finds itself at the centre of electoral controversy each time elections are held in the country. Lack of transparency by an electoral body compromises the credibility of the elections. Consequently, it weakens good governance and democratic consolidation.

4.4. Regional Intervention Trends

In the 1990s the spirit of regionalism spread around the world. New organizations were established and those that existed revisited their status in relation to globalization where trade liberalization and democratization seemed to be inseparable. Regional organizations invented new ideas which precipitated in them committing to the idea of democracy promotion and good governance.

Since that time, regional organizations have made it their core business to intervene in the domestic affairs of member states for the sake of democracy. In Europe, the European Union (EU) applied sanctions against Austria when it was perceived to have violated democratic practices. In South America the Common Market of the South

(Mercosur) intervened in Paraguay twice after an attempted coup. Furthermore, the Brazilian and Paraguayan congresses declined to ratify the admission of Venezuela on the basis of criticism leveled against the Chavez government's democratic credentials. In 1998, the South African Development Community (SADC) forcefully intervened in Lesotho when a military coup was about to happen. However, at times the violation of democratic principles has gone unsanctioned. For instance, the SADC continued to support Mugabe in Zimbabwe while despite reports of ongoing violation of human rights and electoral fraud. In 2006 Berlusconi's violation of media freedom did not lead to EU's involvement in Italy (Van Der Vleuten and Hoffman, 2010:738).

Therefore, in the interest of the study, it is necessary to explore variations in enforcement of democratic principles and practices which influence regional organizations to intervene or not to do so. In this sense, the case studies linked to the EU and SADC will be examined to find out what role the pressures exerted by third parties and the material interests of the regional major powers influence interventions. This can explain the behaviour of regional multilateral organizations in relation to intervention and non-intervention.

4.4.1 Explaining Regional Interventions

The concept of intervention sometimes is used interchangeably with the use of force. In this study a definition of the meaning of this concept is given. According to (Nye, 2005) intervention "can range from verbal condemnation or economic sanctions to military invasion". Furthermore, (Van Der Vleuten and Hoffman, 2010:738), describes intervention as a 'planned interference in the domestic affairs of a member state' and the opposite of intervention could be what the researcher refers to as 'quiet diplomacy' despite alleged violations of democratic principles. Therefore, the focus here is on intervention for the protection of democracy by ensuring that the democratic rights enshrined in the charter of a regional organization are observed. For example, Article

4(C) of the SADC Treaty requires member states to act in accordance with human rights, democracy and the rule of law.

According to Reinalda , “comparative studies of the development of regional co-operation does not spring from political integration but from economic regionalism, driven by external challenges such as globalization, security concerns and the search for strategies to cope”(Reinalda,2007 cited in Van Der Vleuten and Hoffman, 2010:39). At this stage, a regional organization can play a critical role in defining the common agenda in relation to member states and how its development can be carried out. When policies are developed, the organization’s interest will be informed by its desire to maintain or if needs be strengthen its position in an interdependent international system. In line with this, the democratic qualities of its member states could seem irrelevant. With the end of the Cold War, global multilateral organizations like the UN, World Bank and western powers credited and charged regional organizations with the promotion of democracy and good governance. Economic integration and the development of democratic identity are seen to be twin sisters. In this regard this democratic identity makes a regional organization feel ashamed when it remains indifferent to violations of democratic rights by member states.

Regarding individual states, (Keck and Sikkink, 1998:118-119) presented an argument to say that “pressures are eventually most effective against states that have internalized the norms of the human rights regime and resist being characterized as pariahs”. This argument will help to put into perspective the differences between regional organizations and their behavioral changes that have transformed over the time. That is the reason regional democratic organizations are established through treaties, democratic clauses are incorporated which require individual members to embrace democracy and contain penalties that can be invoked when there is violation of democratic principles. These types of regional organizations are required to act if there is no compliance by member states. It is further presented that identities and norms are

mutually constitutive. Therefore, for a regional organization that has embraced democratic principles and internalized democratic values, non-interference in a member state that has not internalized democratic values and has violated democratic principles would not constitute appropriate penalty. Local and external actors can ridicule the organization. To be indifferent in such cases would tarnish the image of the organization domestically and internationally. The backbone of regional democratic identity has three pillars. These are a democratic clause set out as a precondition for new members, the existence of a mechanism of intervention should democracy be under threat and the individual member state's democratic ranking is sought in order to establish the homogeneity of democratic membership (Van Der Vleuten and Hoffman, 2010:740).

The categorization and classification of democratic identity of regional organizations will assist in understanding the behavior of certain regional organizations. The democratic identity of a regional organization is classified as strong when it has a democratic clause, a mechanism for intervention and the majority of its member states are labeled as 'free'. The weak category is when there is no democratic clause, no mode of intervention and the majority of its member states are labeled 'not free'. The democratic identity is of intermediate strength in all cases in between the two categories. The regional organization with weak democratic identity cannot intervene in a member state where the principle of democracy is under threat. Therefore, non-intervention in this case would not damage the credibility nor its own norms and principles. The selection in ratings of the following regional organizations varies. Both SADC and Mercosur are classified as intermediate while the EU is classified as strong. However, it is worth noting that by its greater level of influence an unwilling leading regional power is able to prevent an intervention from taking place. That is why sometimes intervention or non-intervention is influenced by the ideational and the material interests of a regional leading power within the regional organization. By and large, the national interest has a geopolitical dimension, which is aimed at preserving or strengthening their relative power and a material dimension aimed at controlling wealth and resources, as well as

an ideational dimension, concerning spreading its values and defending its prestige (Van Der Vleuten and Hoffman, 2010:741).

Furthermore, it is well known that regional organizations do not exist in isolation but form part of the global processes; hence they constitute groups of the states' strategic responses. As they aim to preserve their position internationally, they are cognizant of the consequences. In cases where events in the member state have unfolded unnoticed and not attracted foreign attention, this reduces the ideational costs of non-intervention for the regional organization and its leading power because they only risk a loss of reputation at the domestic level, not on the international front. However, if a third actor exerts pressure on a regional organization to take action against a member state in an event where democratic principles were violated, this entails ideational costs for a regional organization with democratic identity. Non-intervention will compromise its credibility as a democratic cluster and a reliable partner in the global community. As a result, the decisions of regional organizations to intervene or not to intervene when democratic values are at stake against a member state is at times influenced by the third actor who may be foreign, but sharing common democratic identity with the regional organization. From what has been discussed, a hypothesis is presented which demonstrates the pressure, a third party can exert. For example, in case of a threat to democracy in a member state where there is the third party pressure, it is expected that a regional organization with a democratic identity will intervene if it is shamed by a third party with the same regional identity, even when it means the intervention will jeopardize the geopolitical and material gains of the regional power. In contrast, it is argued that a regional organization with democratic identity is unable to intervene if it is pressured by a third party with a contradictory regional identity, even though non-intervention jeopardizes the geopolitical, material and ideational interests of a regional power. On the other hand when democracy is under attack in a member state with the absence of third party pressure, the behaviour of the leading regional bloc is likely to be only when such intervention serves the geopolitical, material and ideational interests of the regional power. In contrast, a regional organization with democratic identity would

not intervene if the intervention will hurt the geopolitical or material interests of the regional organization. By and large, the geopolitical, material and ideational benefits of the regional power are most influenced by the behavior of the regional power. (Van Der Vleuten and Hoffman, 2010:742).

The theoretical framework outlined above plays a key role in terms of understanding a regional organization's decision to intervene or not to, against a member state which violates democratic practices in a domestic setting. It also brings to light the fact that regional organizations are constitutive multilateral entities that have power to act when principles of democracy are under threat. Again it has also highlighted the influence of a leading power in the region. Lastly, it has also presented a clear picture with regard to the role of a third party in relation to what can be expected from a regional organization with a democratic identity in case democracy is under attack by a member state.

4.4.2 .Explaining Intervention and Non-Intervention in the EU

The democratic character of the EU is informed by the constitutive democratic clause enshrined in the Treaty of Amsterdam of 1997. Since 1997, the EU has only experienced two cases of the perceived transgression of democratic principles by member states. The first incident was with regard to the involvement of the far-right (Freedom Party) in the politics of Austria and the second one concerns the violation of media freedom in Italy in 2001. The outcome of the case in Austria led to joint diplomatic sanctions by EU member states while in Italy it triggered the adoption of a non-binding resolution by the European Parliament. In all the proceedings in these cases, the EU was guided by the Treaty of European Union (TEU) Article 6 which permits for sanctions to be imposed on a member state which has been found guilty of serious and persistent breach of the principles on liberty, democracy, respect for human rights and fundamental freedoms and the rule of law.. The assessment conducted in the two cases established that there was no persistent breach of the Article 6 principles in Austria for the simple reason that the Freedom Party was elected democratically in the

democratic elections. Whereas in Italy there was enough evidence to suggest that a persistent breach of one of the fundamental freedoms did take place (Van Der Vleuten and Hoffman, 2010:743).

The two cases under discussion assisted in highlighting the inconsistency of the EU in handling the affairs in the member states. In Austria, Thomas Klestil, Austria's President did not want the Freedom Party to be in government. He advanced reasons that the party's origin goes back to the extinct Association of Independents. It was founded in 1949 by former soldiers and Nazis who had gained their political rights that year. Because the participation of the Freedom Party in the Austrian government created apprehension abroad, Klestil felt he needed to act to stop it. He then requested a declaration from the government affirming its adherence to the spiritual and moral values which were the common heritage of the peoples of Europe. On January 2000, Israel Prime Minister Ehud Barak, French President Jacques Chirac, German Chancellor Gerhard Schroder and Spanish Prime Minister Jose Maria Aznar supported the call for a 'European Front' to stop the Freedom Party from establishing a coalition government in Austria (Van Der Vleuten and Hoffman, 2010:743).

In addition, Chirac put pressure on the Portuguese EU President and Chancellor Schroeder to take action. Chirac's push was motivated by the fact that back home, in France, the electoral successes of the ultra-right; the Front National was seen as a threat to international peace and security. On the other hand, the United States withdrew its ambassador in Vienna and the then Secretary of State Madeleine Albright indicated that the US distanced itself from the Freedom Front which was associated with the Nazi era guided by politics of hate. On 31 January 2000, Prime Minister Antonio Guterres of Portugal, as EU President, made a joint statement on behalf of 14 heads of state and governments of the EU, pronouncing diplomatic sanctions against Austria (Van Der Vleuten and Hoffman, 2010: 744).

Surprisingly, the decision to impose sanctions was not taken by the EU council but through a series of bilateral engagements on behalf of the 14 member states. The action was inconsistent with the EU Treaty which suggested that the council can only act after establishing proof of a serious and persistent breach of principles of democracy and human rights, which was not the case in Austria. Interestingly, on 12 September 2000 the 14 member states lifted the sanctions claiming they had been a success.

The second allegation of breach of democratic principles relate to Silvio Berlusconi who was Italy's Prime Minister from June 2001 to May 2006. He then successfully created a Mediaset-RAI duopoly that was in charge of about 90% of Italy's broadcasting market. It is alleged he abused his dominance by removing directors and presenters who criticized him. It sparked outrage from media institutions like Reporters Sans Frontières and International Federation of Journalists who complained about the lack of press freedom. This prompted the Freedom of the Press 2004 Global Survey to downgrade the ranking of Italy to 'partly free' because of Berlusconi's influence over the broadcasting system. On its own initiative in a 2004 report, the European Parliament criticized the concentration of media power in Italy. Subsequent to that a call was made for the widening of the legislation to guarantee pluralism in the media and that the EU had a role to play to ensure the respect for freedom of expression as referred to in Article 6 and 7 of the Treaty (European Parliament, 2004).

Furthermore, the EU member states did classify Berlusconi's behaviour as a breach of democratic principles and no action was taken. France and Germany did not suggest any measures to be taken to curb Berlusconi's media influence. This was not surprising, because the new European legislation guaranteeing the separation of powers between media and government was not in the interest of France, which has a long tradition of political control and involvement in the media. The US did not denounce Berlusconi's misuse of power, allowing the EU to remain silent without the risk of being shamed internationally. In 2008 the European Court adjudicating on the complaint from a rival

broadcasting company confirmed that the Italian broadcasting system infringed European Union law. However, it only referred to the freedom to provide services and did not pronounce on any violation of Article 6 of the (TEU). The judgment enabled the EU to define Berlusconi's media policies to be outside the domain of democratic values separating it from public interest regulation that considers other values (Van Der Vleuten and Hoffman, 2010:746).

Finally, given its strong democratic identity, the EU responses in enforcing the respect for the principles of democracy could be explained in this way. The influence of the leading powers, for the sake of domestic interests and the absence or presence of external pressure is relevant. These two cases explain the behaviour of the EU in relation to intervention and non-intervention as linked to the influence of leading powers like the hegemonic bloc that is France and Germany. It also demonstrated the influence by the third party and in this case it was the US.

4.4.3 Explaining the Intervention and Non-Intervention of SADC in Zimbabwe

SADC has a democratic identity as a regional organization. Therefore, SADC is committed to ensuring that regional cooperation on issues of economic integration, promotion of peace and security and the promotion of human rights in the region is realized. Good governance is only mentioned in SADC's mission statement while the promotion of democracy and human rights is located within its aims and objectives in the SADC Treaty (SADC Treaty 1992). Since its inception in 1992 the SADC has dealt with quite a number of conflicts within the Southern African region. The SADC has been in Madagascar, Democratic Republic of Congo, Lesotho (many times) and Zimbabwe trying to resolve intra-state conflicts.

Since its formation in 1992, the SADC has never experienced unresolved conflict resolutions like it did in Zimbabwe. The Zimbabwean crisis is one of the most difficult political issues to deal with to an extent that it has now become a permanent SADC problem. When Zimbabwe got its independence in 1980 the country was on the path of a transition from the colonial oppressive regime to democracy. Regular parliamentary and presidential elections were held although international observers were not always happy about the systematic human rights violations. In the year 2000, President Robert Mugabe and his ruling ZANU-PF unveiled the land reform programme. This programme was aimed at land expropriation without compensation. The programme was directed at white farmers who occupied about 80% of the arable land. In order to ensure that the programme was carried out without compromise the ZANU-PF mobilized the war veterans who named the land reform programme the 'Third Chimurenga' meaning the third war of liberation. The implementation of this programme spiralled out of control and became violent and deadly. White farmers were forcefully removed, beaten up and some left for dead. On the other hand, farm workers who had stayed there for years were physically assaulted and left with no place to live. According to Mapuva and Muyengwa-Mapuva' the promulgation of Public Order and Security Act (POSA) prior to the March 2002 presidential elections facilitated the harassment, intimidation, and torture of MDC supporters' (Dzimiri, 2017:56).

Regrettably, the manner in which the fast-track land reform programme was carried out in 2000 led to serious gross violations of a number of rights as outlined in the African Charter. Those rights include the right to property (Article 14). In addition, other rights which were violated included the freedom from discrimination (Article 2), equality before the law (Article 3), the right to life (Article 4), the right to liberty (Article 5), the right to have one's course heard (Article 7) and the right to work under equitable and satisfactory conditions (Article 5). In the process not only white farmers suffered severely but also farm workers as well (African Commission 2007:5).

This violent fast-track land reform programme sparked regional, continental as well as international outrage. The international community repeatedly called for sanctions against Zimbabwe. Western countries openly criticized the Southern African governments in particular South Africa for paying only lip service to human rights violations and bad governance in Zimbabwe. After the June 2000 parliamentary elections that were marred by intimidation and political violence, evidence of economic crisis surfaced in the country. It was against this background that for the first time the SADC tabled the issue of Zimbabwe at its Summit Heads of State in Windhoek in Namibia. As a result, a Task Force of six heads of state was appointed to seek a solution to the crisis in Zimbabwe. Without referring to the SADC Treaty the mandate of the Task Force was to facilitate political dialogue between Zimbabwe and the donors. In addition, the Task Force was mandated to work with the Zimbabwean government on economic and political issues affecting the country. This included a strategy that will eventually have Mugabe and Tsvangirai under one roof for talks. In 2001 this initiative was left in disarray as Mugabe showed a strong determination to win the March presidential elections at whatever cost. Mugabe argued that the sanctions were imposed to sabotage Zimbabwean government and to frustrate the land reform programme. The smart sanctions by the EU and United States (US) imposed on Zimbabwe precipitated Mugabe to become the outspoken regional champion of an anti-imperialist agenda (Pallotti, 2013:33). When in 2003 the Commonwealth suspended Zimbabwe, the SADC (OPDS) responded by saying such action will do nothing to assist the situation in the country. Instead the Commonwealth should engage rather than isolating and further punishing Zimbabwe.

As white farmers sought recourse for justice as victims of the fast-track land programme they approached the SADC Tribunal. Mike Campbell and others argued that their rights were infringed when their farms were forcefully taken by the Zimbabwean government. The SADC Tribunal granted judgment in favor of Campbell and the 77 other farm owners and pronounced that the Zimbabwean government had violated Article 4(c) and Article 6(2) of the SADC Treaty. Regrettably, the Zimbabwean government refused to

comply with the Tribunal's judgment as well as its subsequent orders (Chitimira and Mokone, 2016: 23-24).

Eventually, Zimbabwe pulled out of the SADC Tribunal claiming it did not have constitutive authority over the country. Zimbabwe, which had been found guilty of human and property rights violations, got away with it under the full watch of SADC. This led to the review of the scope of the Tribunal and instead of widening the scope it was restricted to inter-state legal matters. On the other hand, in January 2005, ECOWAS extended the jurisdiction of its court to cover intra-state legal disputes in order to give citizens of the community access to recourse of justice especially in relation to human rights issues. The behaviour of Zimbabwe reflected that some member states are more equal than the others and that others are untouchable. Since then the credibility of the SADC Tribunal and the SADC at large has been compromised domestically.

The economic crisis and disregard for the rule of law continued and this prompted the SADC to refocus its attention to Zimbabwe in 2007. In March 2007 the SADC Summit officially tasked the South African government to initiate a political dialogue between the Zimbabwean government and the opposition. Regrettably, the unilateral decision by Mugabe to call for parliamentary and presidential elections in March 2008 automatically suspended the former South African President Thabo Mbeki as the chief mediator. In the 2008 run-off elections Tsvangirai withdrew due to political violence and fear of a further purge of his supporters. Mugabe went on to win the elections by an overwhelming 80%. This time the AU and the SADC unanimously declared that the elections were neither free nor fair (Pallotti, 2017:34).

As a result, the SADC, amid international outrage revived the Mbeki mediation process in which an agreement between Mugabe and Tsvangirai was to be based on the Global Political Agreement which was reached on 15 September 2008. This resulted into the Government of National Unity (GNU). As part of the agreement, Mugabe would remain

President, Tsvangirai of MDC-T would be the Prime Minister and the MDC-M's Mutambara would be the Deputy Prime Minister. Most crucial was the adoption of the democratic constitution by the Unity Government. It is however, worth noting that the Unity Government based on the Global Political Agreement did not produce good results as Mugabe as President continued to be on the offensive. At times he would make important decisions without consulting either the Prime Minister or the Deputy Prime Minister. In the main it should be said that the behaviour of Mugabe led to member states not agreeing on crisis response mechanisms and eventually strained relations among them. At times Botswana and Zambia would call for serious intervention to protect humanity at risk but, with little success (Dzimiri, 2017:35).

It must also be noted that in 2005, when the Zimbabwean government carried out Operation Murambatsvina (Restore Order) people's rights were violated on a large scale. The government unleashed a wave of terror destroying informal settlements in the cities which left thousands of people homeless and eventually displaced. Despite numerous calls by human rights and humanitarian organizations to halt the Operation, the Zimbabwean government intensified its programme. This continued until the former UN Secretary General Kofi Annan decided to send a UN Special Envoy led by Anna K. Tibaijuka on a fact finding mission. The SADC preferred quiet diplomacy.

In March 2010 the developments in the SADC indicated that regional leaders were becoming less tolerant of ZANU-PF's undemocratic political behaviour. Under the leadership of Jacob Zuma as President of South Africa the country, was given the chairpersonship of the SADC. The Troika on Politics, Defence and Security convened a sitting with President Zuma between 16th and 18th March and set 31st March as a deadline for implementing reforms in Zimbabwe. These reforms included the removal of media censorship, refraining from hate speech, restoring the rule of law, conducting a land audit and constitutional reforms as guided by the GPA. Mugabe ignored the deadlines. During the 2011 Summit in Sandton, South Africa as the regional leader

President Zuma managed to shake up Mugabe and his image of political invincibility. The SADC produced the draft roadmap for conducting free and fair elections. For the first time the SADC openly criticized Mugabe's policy of conducting political purges of the opposition and his failure to address outstanding GNU issues. The SADC through President Zuma introduced a Joint Monitoring and Implementation Committee (JOMIC) to oversee the implementation of the GPA. Instead of cooperating Mugabe continued to deal harshly with the political opposition. In response, at no time did SADC take a radical stand against Mugabe and the Zimbabwean government (Dzimiri, 2017:69).

Despite all these challenges, in 2011 the ZANU-PF appeared to have adopted democratic politics by participating in a coalition government. However, the implementation of the GPA resolutions remained imperfect because ZANU-PF thought that by so doing, it would be carving its own tombstone, since it would mean relinquishing key positions of state power. From this assessment it looked like the battle for state power was still ongoing. As for South Africa as a leading power bloc, Thabo Mbeki's quiet diplomacy was criticized as the South African government prolonging the political life span of the ZANU-PF government. In addition, Mbeki's trenchant critics argued that South African support for Mugabe was informed by the liberation brotherhood and played a role both symbolically and psychologically in sustaining the ZANU-PF led government. As a result the South African President was severely criticized for not speaking out loudly on SADC's damning findings of electoral abuses in 2002. In spite of all these criticisms, both Mbeki and Zuma felt that South Africa could only exert limited pressure on Zimbabwe. South Africa's military intervention would have been out of the question given its debilitated military capacity and the imposition of trade sanctions would have increased the humanitarian crisis rather than solving the conflict. It would be in the interest of South Africa to minimize the economic meltdown given the massive migrant problems which have worsened South Africa's own socio-economic and security problems (Onslow, 2011:10 - 14).

4.4 Conclusion

Chapter four has dealt with the development and causes of the Zimbabwean conflict in which political and economic issues were identified as the major causes. In practical terms the Lancaster Constitution is identified as the long term cause of the Zimbabwean conflict. While on the other hand the Violent Land Invasion, Operation Murambatsvina and the captured Zimbabwean Election Commission are seen as the immediate causes of the Zimbabwean conflict. Politically, the human rights of the people of Zimbabwe were seriously violated in relation to the right to freedom of association, property rights, the right to be protected from discrimination and other basic civil rights. Economically, the right to work under a safe environment was also contravened by the government in Zimbabwe. Social rights were also found to have been denied like the right to shelter and protection from abuse. These violations have made it difficult for Zimbabwean government to practice the principles of democracy and good governance.

Furthermore, the role regional organizations were explored to find out what was the influence of their intervention or non-intervention when human rights and democratic principles were threatened. It was found that regional powers within the regional organizations have influence whether to intervene or not given their ideational interests. In addition, the role of a third party in putting pressure on the regional organizations to intervene when the democratic principles have been violated by a member state was also discussed. In order to diversify the study, the nature of the EU and its interventional character was explored. Lastly, SADC as the regional organization under study and its interventional strategy in Zimbabwe was dealt with. However, it was established that the Zimbabwean crisis has become a permanent feature, hence the study. The theoretical framework that has been developed will also be used for assessment and analysis in the next chapter

CHAPTER FIVE

Evaluation of SADC Contribution in Zimbabwe

5.0. Introduction

Chapter five delves into the contribution made by SADC's involvement in Zimbabwe. In chapter four the intervention of the SADC in Zimbabwe has been discussed at length with a view of looking at the mechanisms employed and their effectiveness. Furthermore, the concerns raised by the international community over gross human rights violation in Zimbabwe and its influence on the SADC has been identified as a key factor. Furthermore, the response by South Africa as a regional power bloc and its impact on democratic principles and the rule of law will be discussed. How far has SADC gone in preserving its values of the promotion of human rights? Is SADC's commitment to the principle of democracy, the rule of law and good governance visible in relation to its interventions in Zimbabwe? This chapter will also look into SADC's successes and failures, assessing whether SADC should continue to intervene in Zimbabwe. Findings and recommendations will be based on the following evaluation and assessment.

5.1. Were SADC Mechanisms Reliable to Resolve the Protracted Political Conflict?

It should be understood that the SADC is a regional organization with a democratic identity. Like any other regional body, the SADC in its Treaty has outlined the mechanisms to be sought when dealing with regional conflicts. For example, in the SADC Treaty, Article 4(c) and (e) requires from SADC and member states to act in accordance with human rights, democracy and the rule of law (SADC Treaty, 2014: 5). This is to be achieved through the peaceful settlement of disputes.

Article 6(2) stipulates that SADC member states shall not discriminate against any person on grounds of gender, religion, political views, and race, ethnic origin, culture, ill health or any other grounds as may be determined by the Summit. It is important to indicate that matters related to good governance principles are only mentioned in the mission statement. In addition, the Treaty stipulates in Article 5(c) one of SADC's aims and objectives which is to consolidate, defend and maintain democracy, peace and stability. Since its inception the SADC has used two modes of intervention in the region. In 1998 the SADC intervened in both the DRC and Lesotho in which the peace-keeping model has been utilized. Peace-keeping includes military intervention which can be used when there are gross human rights violations or an imminent military take over. However, in the case of Zimbabwe, the SADC utilized the peace-making model which is confined to the principle of mediation through negotiations. Since the beginning of its intervention processes in Zimbabwe, at no time did the SADC change the mode of operation even though it was becoming clear that peaceful settlement was not working.

Given the performance of the SADC in its intervention mission in Zimbabwe it can be said that the mechanisms employed were not reliable. This is so because the SADC has been mediating in Zimbabwe for almost 20 years, but the situation there remains the same. The SADC started its interventional work around 2001 and the country's political, social and economic situations have continued to deteriorate further. The mechanisms were not reliable because all the SADC initiatives could not yield positive outcomes throughout the decades of its intervention. For example, when a task force comprising of six heads of state was appointed by the SADC to facilitate negotiations between Mugabe and the donors, Mugabe responded by saying that the sanctions were meant to sabotage Zimbabwe and frustrate the land redistribution programme. The mandate of the task force was also to have Mugabe and Tsvangirai under one roof to settle political differences. Again Mugabe responded by uttering unflattering statements that Tsvangirai was a puppet of western imperialism and was reluctant to meet him. Instead Mugabe continued to be on the offensive by unleashing a wave of terror against political opponents. However, instead of changing the modus operandi, the SADC

remained convinced that it could deal with Mugabe through peaceful means. Clearly, this was an unachievable dream. In practical terms, the SADC Organ on Politics, Defence and Security failed the people of Zimbabwe in ensuring that the rule of law, human rights and democracy were protected. It also fell short in ensuring that good governance practices were realized in Zimbabwe.

5.2. How effective has SADC Been in Zimbabwe?

Throughout the years of its involvement in Zimbabwe, the SADC has exposed its weaknesses for everybody to see. It is quite unthinkable that the SADC kept on using the same mechanisms of peace-making thinking the results would be different. When the SADC could not take decisive action during the violent land grab of 2000, this proved that it was treating Mugabe with soft gloves. It was becoming apparent that peace-making in Zimbabwe would not produce the desired outcomes.

The fast-tracked land reform programme violated human rights of the white farmers as well as farm workers. Human rights such as property rights, right to be protected against discrimination and the right to life were severely violated. It is estimated that about 150 people including 10 white commercial farmers were killed as a result of the violence orchestrated by supporters of ZANU-PF and war veterans during the farm invasions. Surprisingly, these are the human rights the SADC claims to protect. It became clear that Mugabe was not prepared to lose political power to the opposition but still SADC would not change its tactics.

To show the ineffectiveness of the SADC in Zimbabwe we must scrutinize the first case of the SADC Tribunal in relation to white farm owners. The introduction of the SADC Tribunal brought a lot of hope to the citizens around the Southern African region. They believed that if the national courts could become impartial in delivering justice for all,

they could now look to the SADC Tribunal for recourse to Justice. In line with this background, the white farmers took the Zimbabwean government to the SADC Tribunal for adjudication. The SADC Tribunal's composition and functions became a thorny matter which nearly divided the regional body permanently. Member states could not agree on the scope and remit of the Tribunal. Member States were divided on whether the Tribunal should deal with intra-state or inter-state disputes. Eventually, the Tribunal handed over a judgment in which it established that the Zimbabwean government had violated Article 4 and 6 in the SADC Treaty. It further ordered the Zimbabwean government to pay compensation to farm owners. Contrary to the verdict, the Zimbabwean government refused to comply with the orders.

The Zimbabwean government argued that the Tribunal was without the jurisdiction to render judgment in the case and that its verdict was not binding. The refusal by the Zimbabwean government to comply showed that the SADC was a toothless body and also reflected disunity and the propensity to bend the rules in order to cover up specific situations and specific people. Regrettably, the SADC heads of state not only committed to review the Tribunal but ensured that its teeth were cut-off and could only preside over inter-state disputes which could not even occur in the near future. This was a clear betrayal of the principles of democracy and good governance. Of major concern here is that if the SADC could not agree on issues of policy, such an impasse could jeopardize the realization of regional integration (Mapuva, 2014:32 -33).

Lastly, it becomes a worrying factor as to why the SADC Tribunal did not incorporate the SADC Lawyers Association (SADCLA) into its legal matters. According to Mogoeng, the SADC Tribunal was established to ensure that SADC member states did not marginalize the objectives of the SADC Treaty by violating people's human rights with impunity (Chitimira and Mokone, 2016: 24). The SADC Lawyers Association has a vast knowledge of justice systems within the South African region. This brings SADC's commitment of working with the civil society organizations into question.

5.3. Were Mechanisms of Intervention Efficient?

Without hesitation the mechanisms of intervention in Zimbabwe were far from being efficient. On a number of occasions, the SADC tried to facilitate peaceful settlement in the Zimbabwean dispute but came away empty handed. From the SADC task force to the Tribunal the situation remained the same. In 2007 when former South African President, Thabo Mbeki, succeeded in persuading the warring actors around the table everybody was convinced that an amicable solution would be found. Surprisingly, President Mugabe annoyed Mbeki when he unilaterally called for harmonized elections to be held in 2008. This pronouncement was made prior to the reaching of an agreement that was based on stipulations of the Global Political Agreement. This proclamation rendered Mbeki and his mediation mission irrelevant. Again SADC did nothing to reprimand Mugabe and or force him to adhere to the preliminary agreement leading into the GPA before elections could take place.

In the elections of March 2008 it took more than three weeks for the Zimbabwean Election Commission (ZEC) to announce the results. This was a clear contradiction of the SADC election document, the Principles Guidelines Democratic Elections which the SADC member states together with Zimbabwe had adopted in 2004. According to these guidelines within a week of holding elections, results should be made available. This brought suspicions that the elections were rigged. The rigging could be confirmed by the outcome of the results that showed Tsvangirai with 47% and Mugabe 43% of the vote. Again SADC showed an element of indifference to the whole matter. Nonetheless, a run-off was called for June 2008. The delay on the outcome of the elections and the subsequent events gave Mugabe time to re-energize and mobilize for more repression against the members of the MDC. This time members of the opposition including Tsvangirai were beaten up detained and tortured and some abducted in full view of family members. Not surprisingly, realizing that the country could descend into a full

scale civil war, Tsvangirai, for the sake of saving lives, pulled out of the scheduled June elections. This meant that Mugabe was to go it alone because what was left were the smallest political parties with no capacity to actually challenge Mugabe. This time, the SADC again, did nothing to stop the elections. It was only after Mugabe emerged as a winner with an overwhelming 85% of the vote, that SADC together with the AU rejected the outcome arguing that the results did not represent the will of the majority of the Zimbabweans. Therefore, it becomes clear that on these electoral issues, Mugabe was not ready to transform the defunct Zimbabwean electoral system and what he wanted was political power at all costs. As a result, it could be said that the intervention strategies were not effective

5.4. Will SADC Involvement Remain Sustainable?

It should be said that the intervention of the SADC in Zimbabwe should be kept alive only on the following conditions. Firstly, the SADC could have reflected on its involvement during all these years in Zimbabwe. The SADC would have to be honest with the actual realities on the ground based on its successes and failure in Zimbabwe. The assessment of this study is that SADC involvement in Zimbabwe was characterized by lack of insight, indecisiveness, indecision, and lack of political will to stamp its authority as the only regional organization.

Therefore, as long as the people of Zimbabwe continue to complain about human rights violations, contravention of the rule of law, economic hardship and political instability the SADC should continue with its mediation mission. If SADC had abandoned its mediation initiatives, it would have impacted negatively on the credibility of the SADC, and a dysfunctional SADC would compromise its stature domestically, continentally as well as internationally. The SADC could compile a report on its challenges in Zimbabwe in order to be taken seriously in the near future. The mistakes of the past could assist the SADC to redefine its role not only in Zimbabwe, but also in the entire region. If the challenges

in Zimbabwe are left unattended to, they have the potential to spill beyond the borders which could render SADC useless and it might never recover. As a result, it is worth noting that the material conditions that necessitated the involvement of the SADC in Zimbabwe still exist today. For example, as a result of economic hardship and political instability, it is estimated that around three to four million people have left the country. These people now reside in South Africa, Botswana, the United Kingdom and other parts of the world. Some of the people who left Zimbabwe were not skilled meaning that a considerable number of these people live in refugee camps while others live in slum areas. The Zimbabwean problems must be resolved so that these people can get back to their ancestral land. Hence, the SADC needs to sustain its involvement whilst changing its tactics going forward.

5.5. Is there Any Value Added for SADC Close Watch over Zimbabwe?

Perhaps before this question could be answered, it is logical to reflect briefly on the challenges that rendered the SADC mediation process so weak. Two factors have been identified - the Mugabe factor and South Africa as a regional power bloc.

5.5.1. Mugabe's Personality Cult in the Southern Region

Within the politics of SADC, President Mugabe was highly respected both as a political veteran and a liberation icon. Domestically, the ZANU-PF hero-worshipped and practically centred the political development of the country on him. This was because Mugabe successfully utilized the state machinery as the vehicle for patronage. This practice allowed Mugabe to put party cadres who were loyal to him in all the strategic positions of power, such as the army, state security, judiciary system and the executive. This practice went on for more than three decades unchallenged. This resulted in Mugabe capturing the political imagination of the Zimbabwean people in believing that he was a panacea for all the challenges that were to face Zimbabwe. That is why in all

the elective conferences of ZANU-PF, Mugabe was elected unopposed and gave him an unwavering grip on power.

At a regional level Mugabe was seen as senior to nearly all the heads of state of the SADC including the AU. He led the region in the Front Line States (FLS), Southern African Development Coordinating Conferences (SADCC) and the SADC as chairperson. Mugabe, a brilliant orator and a staunch Pan Africanist, used all the platforms correctly to demonstrate his understanding of world politics and also gave direction on what was to be done. His liberation struggle credentials concretized strong ties among SWAPO, FRELIMO, MPLA, ZANU-PF and the ANC. At an ideological level, Mugabe held radical political views against neo-colonialism and the western imperialist agenda. This elevated him into a position as a worldwide spokesperson against the western neo-liberal ideology and neo-colonialist agenda on behalf of the third world countries. At international gatherings like the UN General Assembly, the majority of the Heads of States looked to Mugabe to challenge unfair practices. Mugabe would not hesitate to challenge the unequal representation in the Security Council and its monopolistic nature against the marginalized third world and developing countries. Mugabe won recognition not only at home but in the African continent and internationally. That is why the west, in particular UK, wanted regime change in Zimbabwe. As a result; Mozambique, Namibia, Angola and South Africa became conscious about the agenda for regime change in Zimbabwe and rallied behind Mugabe. Anyone opposed to the land redistribution programme including Tsvangirai were seen as puppets of the west that needed to be isolated. This explains the character of Mugabe, who fragmented the SADC along ideological lines.

5.5.2. South Africa as a Regional Power bloc under Thabo Mbeki

The international organizations in particular the EU were hopeful that South Africa as a leading regional power bloc under Mbeki would deal with Mugabe. They saw Mbeki

working very hard to convince the African States to adopt his neo-liberal document called New Partnership for Africa's Development (NEPAD). Although this document was criticized as the product of the west, eventually it was adopted by many in the African continent. Despite, the liberalization of the economy, Mbeki also argued that all the problems facing the African states need African solutions by Africans. Therefore, Mbeki could not deviate from his conviction that Africans must be self-reliant in confronting the African problems.

It is these reasons that Mbeki's handling of the Zimbabwean crisis was informed by two considerations. Mbeki did not want international pressure on issues related to Africa and its people. Had Mbeki succumbed to the western pressure and acted radically against Mugabe, his efforts on NEPAD would have been rejected outright and confirmed that he too was a surrogate of the West. Mbeki understood very well that the same problems responsible for causing the Zimbabwean conflict existed in South Africa. For example, the unresolved land issue and white monopoly capital.

Mbeki told a high-level meeting that in as far back as in the 1990s; Zimbabwe responded positively to a request by senior Commonwealth officials to postpone the fast-track land reforms because it was going to frighten the apartheid government and frustrated the outcomes of the negotiations in South Africa. In 22 June 2005, the British Foreign Minister Jack Straw cautioned the African leaders to take action against the Zimbabwean government shortly after Operation Murambatsvina in which about 700,000 people were left homeless. President Mbeki replied that 'South Africa refuses to accept the notion that because suddenly we are going to G8 summit we must be reminded that we must look good and appease the G8 leaders' (Africa Report, 2015:13). As a result, Mbeki angered the west when he applied peaceful means for resolving the Zimbabwean conflict while the west wanted something that could lead to regime change. That is why when former South African president Jacob Zuma replaced Thabo Mbeki; the west was convinced that Zuma would take Mugabe head-on. Indeed,

Zuma came out strongly and put much pressure on Zimbabwean parties to implement GPA. However, the overzealous Zuma could not go far before he realized what a tactician Mugabe was. At times Mugabe would accuse Zuma of failing to understand logic and world politics and its dynamics and finally attributed all this to Zuma's little education. As a result, the researcher is tempted to think that the west had a hand when Mbeki was ousted by Zuma as South Africa's President. It is therefore, argued that Zuma did not do much to transform the Zimbabwean crisis to the better, despite high hopes from the west.

Responding to the question now, about the value of the SADC putting a close watch on Zimbabwe, the feeling could be thumbs up. It had value despite numerous challenges that were encountered. The brief background given and its shortcomings should not discourage SADC in moving on with its mediation endeavour to find the permanent solutions to the Zimbabwean crisis. The strong personalities that used to occupy the centre stage are no longer there. Former president Mbeki is now a political retiree whilst Mugabe and Tsvangirai are no more. Although their passing could not be celebrated, the future looks brighter for Zimbabwe without them. Hence the SADC as a collective should put up the pieces together and continue with its mediation process in Zimbabwe.

5.6. Conclusion

This chapter dealt with the evaluation of the contribution that the SADC has made during its engagement with the Zimbabwean government. The evaluation was based on five established principles which were reliability, effectiveness, efficiency, sustainability, and the value of the SADC 's close watch in continuing with intervention in Zimbabwe. It has been indicated above that the SADC used only one mode of peace-making in its intervention throughout its involvement in Zimbabwe. It has been established that the mechanisms employed in dealing with the Zimbabwean crisis were neither reliable nor effective. The reasons were that the actors involved had strong personalities. For

example, Mugabe of ZANU-PF and Tsvangirai of the MDC could not see eye to eye. On the other hand, South Africa as a leading regional power bloc under former President Mbeki adopted a sympathetic position towards the Zimbabwean government. As a result, the mechanisms used could neither be efficient nor sustainable. It became apparent that a peaceful settlement strategy as an SADC strategy in handling disputes could not achieve desirable outcomes in Zimbabwe. However, given the assessment of the latest development in the country it is expected that with the disappearance of the major role players in the political arena, hope exists that the SADC should continue with its efforts of searching for a permanent solution in Zimbabwe.

CHAPTER 6

Findings and Conclusions

6.0. Introduction

This study is about the role of SADC in promoting good governance and democracy in the SADC region with specific reference to Zimbabwe. Zimbabwe has been identified on the basis that protection of human rights and the rule of law which are the basic tenets of democracy and good governance have deteriorated. Therefore, it became logical for a study of this nature to be commissioned so as to find out why all these are happening in the presence of the SADC. This chapter will deal with the summary of the study. This summary will provide an overview on how the study is structured. In addition, the key findings and the lessons learned will be considered. Recommendations based on the findings in the study will be presented for action to be taken.

6.1. Summary of the chapters

Chapter One was an introduction and presented an overview, background and motivation of the study. It also dealt with the problem statement, objectives of the study and methodology. In addition, the study layout was set out in this chapter.

Chapter Two presented a conceptual theoretical framework of the key concepts in the study. Concepts like region, regionalism, governance, good governance and democracy were explained together with their importance to the study. With regard to what constitutes a region, it was presented that it varied according to the phenomenon under study. As a result, a region could be defined as a limited number of states linked together by a geographical relationship and by a degree of mutual interdependence. In contrast to geographical proximity was an argument that sometimes regions were

socially constructed. Therefore, the SADC formed part of a regional organization founded outside the scope of geographical contiguous which included Tanzania which is in East Africa geographically. Therefore, regionalism was perceived as the way in which regions were established. This chapter further presented the background upon which regional organizations were founded. It stated that the end of the WWII marked the evolution of numerous regional and international organizations such as the SADCC, ECOWAS, AU, EU and the UN. This was so because by the end of WWII states became concerned about issues of security, human rights and democracy. This chapter further highlighted that the end of the cold war between the USSR and the US presented a platform for regional trade and economic cooperation among states. Therefore, it was within this understanding that SADC was established. Good governance and democracy were seen as twin sisters in the sphere of governance. The two concepts had a lot in common such as the protection of the human rights, upholding of the rule of law, transparency, freedom of participation, and acceptance of the role of civil society organizations in a state. These two concepts were of essence because the SADC was going to be evaluated based on how these concepts were prioritized and promoted in the Southern Region particularly in Zimbabwe.

Chapter Three addressed the history of the political development of five SADC countries including Eswatini, Lesotho, Namibia, South Africa and Zimbabwe. The study found out that South African and Namibian democracies could be said to be on the path towards consolidation. Against this backdrop, the democracies of Lesotho and Zimbabwe were found to be fragile with Zimbabwe reverting to a colonial authoritative regime mode of governance; while on the other hand, Eswatini remained the last absolute monarchy in the African continent. This chapter also presented the establishment of the SADC and its predecessors, the FLS and SADCC. The ideological dominance of the Pan Africanist philosophy with members of the FLS and SADCC was identified in the study. Moreover, the concept of good governance was located in the mission statement of SADC, while issues of human rights, the rule of law and democracy were found in the aims and objectives of the SADC. Within the SADC

structure was the Tribunal, which served as the SADC court for the people of the southern region to seek recourse to justice regionally.

This chapter also presented the trends of regional intervention in conflicts. It was identified that three SADC countries Eswatini, Lesotho and Zimbabwe were the most affected countries with regard to political, social and economic instability. These challenges manifested themselves through the failure of the existing governments to uphold democratic principles. It was also presented in this chapter that the cause of the conflict in Zimbabwe started with the compromises made by the liberation movements or Patriotic-Front during the Lancaster House Agreement which culminated in independence in 1980

Chapter Four identified that during negotiations in London, the land question did not receive adequate attention. The violent land grab from white farmers, Operation Murambatsvina and rigging of elections by ZANU-PF were pinpointed as the immediate causes of the Zimbabwean conflict. It is also identified in this chapter that the warring factions in the Zimbabwean conflict were the ZANU-PF led government and the opposition MDC. In addition, the trends of regional intervention were covered as used by the EU and the SADC. This chapter identified the geopolitical and ideational interests of the leading regional power bloc as influencing the process of intervention or non-intervention. This theoretical framework identified regional organizations with democratic identity as the ones which could intervene when democratic principles were violated by a member state with a democratic clause. A third party could exert pressure on a regional organization with democratic identity which failed to intervene when democratic principles were under attack. In order to diversify the study, a case study on how the EU intervened in the European affairs of member states was presented. The study found that the EU was not consistent in handling interventions and non-intervention of European affairs. This is followed by the interventions of the SADC in

Zimbabwe as one of the most difficult interventions the SADC has conducted since its inception.

Chapter Five presented the evaluation of the SADC in its intervention mission in Zimbabwe. In order to assess the SADC's performance in its intervention in Zimbabwe the study identified five dimensions which were as follows: reliability, effectiveness, efficiency, sustainability and value of the SADC's close watch on Zimbabwe. This chapter argued that the peacemaking model based on the peaceful settlement principle did not yield positive results in Zimbabwe. Despite all these, this chapter viewed the continued intervention of the SADC in Zimbabwe as essential for the future. This is because the strong personalities who used to be key role players are no longer there and given these developments SADC should continue with its intervention mission in Zimbabwe, with strengthened mechanisms.

6.2. The key findings and lessons learned

The political structure of the SADC, the OPDS supports the promotion of democracy and good governance in the region but to a lesser extent. The study has identified division within member states as a contributory factor towards SADC's lack of achievements in Zimbabwe.

The study established that the SADC prioritized peace, stability and regional economic integration over good governance. It has been established that the impact of socio-economic and political instability have devastated the lives of many Zimbabweans., It is estimated that around 2005 about 3-4 million Zimbabweans were staying in South Africa, Botswana, United Kingdom and elsewhere in the world as a result of economic hardships in Zimbabwe. Some have perished as a result of political violence in the country.

The challenges faced by Zimbabweans were prolonged due to the lack of decisiveness of the SADC leadership. There were times when the Zimbabwean President Robert Mugabe demonstrated his marginalization of the SADC. For instance, when Mugabe refused to implement the orders of the Tribunal and he eventually pulled out of the SADC Tribunal. Consequently, the SADC did nothing; instead the powers of the Tribunal were further curtailed. Therefore, the SADC did not do well in promoting good governance and democracy in Zimbabwe.

The lesson learned is that a fragmented regional body like the SADC over the issue of Zimbabwe could not have achieved positive outcomes. Political organizations should have a leadership succession plan to avoid a situation where individual leaders become the organization themselves.

Furthermore, the Zimbabwean crisis should not be placed on the hands of South Africa as a regional power bloc but must be made a SADC matter.

6.3. Conclusion

This concluding chapter has a dual function. Firstly, it draws together threads that were running through the discussion and summarizes key points in the chapters as indicated above. In chapter one it was established that Zimbabwe as one of the SADC countries has encountered several challenges ranging from socio-economic and political decay. These challenges were as a result of economic mismanagement and the disappearance of political freedom of the Zimbabwean citizens. All these were manifested as the ruling ZANU-PF applied draconian tactics to silence political opponents mainly the members of the MDC. This resulted in gross human rights violations, suppression of the rule of law and the abolishment of the democratic principles. All these aspects put together constituted a problem statement.

In order to deal with the problem statement chapter two presented a theoretical framework. The concepts of good governance and democracy were identified as

significant components of contemporary governance and political transformation. The theories of a region and regionalism were also discussed so as to find out their contribution to the promotion of good governance and democracy. Subsequently, it was established that regional organizations have committed themselves to ensuring that human rights, the rule of law and democratic principles play a key role towards regional economic integration. After studying the history of political developments in Zimbabwe and four other SADC countries, chapter three confirmed the existence of the socio-economic and political conflict in Zimbabwe. Chapter four identified the challenges in Zimbabwe as intra-state conflict between the ruling ZANU-PF and the opposition MDC. Chapter five dealt with the framework of regional organizations and their impetus in intervention or non-intervention against a member state that violates the principles of democracy. It was established that material, geopolitical and ideational interests of a regional power were very influential in the process of intervention or non-intervention should a democratic principle be threatened in a member state. The pressure of the third party was identified as playing a critical role in decision making on whether to intervene or not in a situation where the democratic principles had been violated. However, it is regrettable to note that the SADC intervention in Zimbabwe was minimal despite clear evidence that the democratic principles had been violated. Secondly, it presented the findings and lessons learned as well as recommendations for future interventions.

The literature gathered in the study does contribute significantly to the field of governance, good governance and political transformation. This is because regional organizations do not operate in isolation, but they form the integral part of global politics and they would always want their voices to be heard. As a result a study on regional intervention and non-intervention is relevant to governance and political transformation.

Lastly, Huntington's assessment of the waves of democratization was that, unfortunately those waves of democratization were characterised by the reversals of the gains that democracy achieved drifting back to lesser democratic regimes. Therefore, the classical example of this assertion is Zimbabwe in the SADC region. In practical

terms the drifting back in Zimbabwe from a transition to democracy to authoritarianism leaves the SADC with a huge responsibility of prioritizing and safeguarding the principles of democracy.

6.4. Recommendations

The SADC as a regional body with a democratic identity should have a democratic clause. Membership of the SADC should not be open to non-democratic countries. As a result, Eswatini SADC membership should be reviewed.

SADC should prioritize good governance and put it as one of its objectives because democracy and good governance work hand in hand. The promotion and practice of good governance could be used as means of advancing peace and security in the region. Furthermore, the generic principles that advance good governance are democracy, effective public sector institutions, and the rule of law as well as popular participation in decision making and management of public resources for the benefit of all citizens. The recommendations are that the:

- SADC Tribunal should be re-structured to cater for human rights abuses in the intra-state circumstances. The SADC Lawyers Association should be incorporated into SADC to serve as an advisory board to the Tribunal.
- SADC member states should have a formal consensus on matters of democracy, good governance, human rights and the rule of law.
- SADC should help the people of Zimbabwe by resolving the political impasse.
- SADC should consider its attitudes on all of these intervention mechanisms such as peacemaking and peacekeeping.
- SADC should develop a clear policy regarding the types of intervention in Zimbabwe.

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