

## SADC and the Conflict Mediation Role in Zimbabwe: 2007-2013

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### Abstract

It is crucial to examine the historical conflict mediation role that SADC played in Zimbabwe given the country's continuous political instability and economic catastrophe. Zimbabwe held its first all-race elections in 1980, and ZANU, a liberation movement-turned political party under Robert Mugabe, emerged victorious. ZANU, which later became ZANU-PF after amalgamation with ZAPU, ruled Zimbabwe from 1980 to present. However, in the mid-90s the country began to experience economic and political problems, characterised by a weakening of the economy and political repression of the government's opponents. Against this background, these issues threatening to unravel Zimbabwe became the focus of attention from the international and African political milieu from the early 2000s onwards. This was because the economic and political crises had already caused, and were causing, Zimbabweans so much anguish and insufferable pain. In view of these problems, this article aims to examine the mediation role of SADC in Zimbabwe. The article uses a qualitative design and case study approach, with SADC mediation in Zimbabwe being the case study, and relies on data that is available in the public domain. SADC employed mediation to carry out a role that is typically undertaken by a regional organisation. However, its involvement was significantly circumscribed by the organisation's commitment to the principle of non-intervention and the impact of its role limited by the method of mediation, which by nature is

peaceable and relies on the consent of the conflict parties. While temporarily halting the political unrest, using mediation in Zimbabwe had the unexpected consequence of entrenching ZANU-PF dominance. As a result, the country relapsed into political instability. It is recommended that when using mediation to manage, de-escalate or end conflicts or crises, SADC must ensure that the settlements struck are not structured in a manner that assists one party in the dispute to gain too much power over the other, as was the case with the ZANU-PF and the MDCs.

**Keywords:** *SADC, Zimbabwe, Conflict, Crisis, Mediation, Elections, GNU, Intervention*

## **Introduction**

The Southern African Development Community (SADC) summit of heads of state and government, which met in Tanzania's Dar-es-Salaam on September 28 to 29 2007, adopted a resolution that, among other things, required President Thabo Mbeki of South Africa to facilitate a dialogue between the opposition, mainly organised around the Movement for Democratic Change (MDC), and the Zimbabwean government, which is led by the Zimbabwe African National Union-Patriotic Front (ZANU-PF). At the conclusion of the summit meeting, SADC also demanded the lifting of international sanctions against Zimbabwe (SADC *Communique* 2007). The widely contested general elections in 2008 that sparked unprecedented levels of politically motivated violence and deepening instability marked the turning point in SADC's mediation efforts in Zimbabwe. It was after the disputed election results and the accompanying violence that SADC, through Mbeki, expedited the negotiations between the conflict parties. The SADC intervention eventually produced the Global Political Agreement (GPA) signed by and committing the political parties that were at the centre of instability in Zimbabwe to forming a government to national unity (GNU). The GNU came into effect in 2009 and expired in 2013, during which time there were national elections, which the ZANU-PF easily won. In light of the ongoing political and security challenges in Zimbabwe, it is important to revisit and examine the mediation role that SADC fulfilled in Zimbabwe, something that will shed light on whether this role itself is the reason the country has relapsed.

## **Conceptual Clarification, Literature Review, And Theoretical Framework**

Mitchell (1981:15) argues that “conflict is a situation in which two or more human beings desire goals which they perceive as being obtainable by one or the other but not by both”. As a result, conflict is understood as a situation characterised by goal incompatibility involving at least two actors or groups. Goal incompatibility suggests a scarcity of resources or desirables. Binns, Dixon and Nel (2012:240-241) emphasise that goal incompatibility must produce certain outcomes (specifically death – at least 25 deaths annually as a direct result of the conflict) to pass as a conflict situation. Of course, conflict is deemed destructive and other governments and IGOs frequently intervene in response to it. In its broadest sense, intervention is understood to refer to “a broad range of activities that include most impelling and coercive actions taken by a state against another state” (Hough, Du Plessis & Kruys 2008:26; Dannreuther 2007:141). However, there are many types of interventions; including peacekeeping, humanitarian intervention, military intervention and mediation intervention (Coleman & Tiekou 2018:2; Lawrence 2017:1-7; Sutterlin 1995:25). Because mediation intervention is the focus of this article, the concept is explored and described extensively below.

In the post-Cold War era, mediation has emerged as the most popular or preferred conflict resolution method of resolving conflict and/or dealing with political instability since it is by its very nature a pacific method of conflict resolution that forgoes using coercive instruments. Mediation as a peaceful conflict resolution method has gained prominence in the post-Cold War international order. In terms of definitional meaning, Bercovitch (1992:7) asserts that mediation is “a process of conflict management, related to but distinct from the parties’ own efforts, where the disputing parties or their representatives seek the assistance, or accept an effort of help, from an individual, group, state or organisation to change, affect or influence their perceptions or behaviour, without resorting to physical force or invoking the authority of the law”. With regard to the number of parties involved, Bercovitch’s characterisation is the most comprehensive, compelling and useful because it emphasises how the addition of a third party as a mediator changes a conflict’s structure from dyadic to triadic, increasing the number of parties involved from two to three.

The primary parties involved in the disagreement must first provide their consent for the entrance of a third party to function as a mediator before one is brought in. Essentially, mediation is a voluntary initiative in

that for it to occur there must be an agreement/acceptance from the main parties involved in the conflict. As an extension of conflict management, mediation is characterised by negotiation between the conflict parties facilitated by a third party or mediator that could be an individual, a group or an organisation. As such, mediation is essentially an effort to mediate a conflict by a party who was not involved in its inception or intensification. Although seen as impartial, mediators often bring their own interests and viewpoints to the table, which affect how they approach the mediation process. While mediators are viewed as impartial and disinterested, they possess separate subjective conceptions of how the conflict must be addressed. The purpose of mediation is not only to end the conflict but also to modify it; in certain circumstances de-escalation of the conflict might be a realistic goal than eradication. Moreover, conflict parties enter mediation voluntarily and the parties can decide to accept or reject the outcomes. The voluntary nature of mediation means that conflict parties can always decline to participate or withdraw from the process. But there is often pressure emanating from within the domestic and international spheres directed towards the parties that demand they enter mediation process or cooperate with outcomes' implementation. Mediation is executed on an ad hoc basis and very often unstructured. Implementing mediation outcomes wholly relies on conflict parties' cooperation as there is no legal route to impose it (Alexandrou 1997:48; Bercovitch, 2011:17). These are some of the salient characteristics of mediation as a conflict resolution method.

Furthermore, Bercovitch (2011:21-26) distinguishes between formal and informal mediation. He argues that mediation could be formal or informal, with the former including the nomination of a senior government official as a mediator and; the latter entails the involvement of a private individual as a mediator. Accordingly, mediation could be undertaken by a representative of government or IGO, or can be a private and professional expert. On the one hand, mediation by a state or government representative, regional IGO or universal IGO is motivated by the desire to stop the harmful effect of conflict on the mediator's political interests; by an organisational mandate to intervene in conflicts; by the determination to protect the current structure, extend own influence and relevance, and by a formal request by either one or both of the parties involved in the conflict. On the other hand, and in terms of motivation, informal mediation undertaken by individuals is typically motivated by the individuals' desire to access significant political actors and create communication tunnels; to test in practical terms their knowledge of conflict management; to spread own ideas and enhance

own professional status; and to alter conflict behaviour in order to restore peace. Thus, the motives behind informal mediation are both altruistic and self-regarding.

What are the necessary conditions for successful mediation? For mediation to succeed, the conflict parties must recognise that unilateral action is unproductive; that continuing the conflict leads to huge political or economic cost; that pressure emanating from within the region or international sphere must be directed towards the conflict parties; that there must be preparedness to work together (amongst the conflict parties) to end the conflict; and that the conflict has been long running creating the impression that no single party will emerge victorious (Susskind & Babbitt 1992:31-36; Bercovitch, 2011:20). The likelihood of an efficient and effective mediation is significantly increased by the coexistence of these circumstances. Mediation is distinguishable by the introduction of a third party, that must be acceptable to the conflict parties and alters the dyadic structure of conflict into a triadic one that opens up opportunity for reaching political settlement.

## **Methodology**

This research was undertaken using a qualitative-evaluative approach, involving an extensive review of the pertinent literature, including SADC communiqués. This approach made it possible to concentrate on analysing the nature of the connection between important conceptual factors like intervention, IGOs and mediation. Evaluation as a research approach denotes a set of research methods and methodologies that are used to judge activities, actions and phenomena in terms of standards and values (Kushner 2016:4). Murithi (2009:95) contends that concerned by the unpunished war crimes and crimes against humanity that bedevilled the African continent during the time of the OAU, the AU embraced an interventionist posture to resolving conflicts in Africa, a posture that was inspired by the newly-found spirit of non-indifference. This shift in favour of intervention to halt human suffering in Africa is sanctioned by Article 4 (h) of the AU Constitutive Act, which empowers the organisation to intervene in a member state in circumstances of crimes against humanity, genocide and war crimes (AU 2000: Article 4). This is also cascaded down to the AU RECs, including SADC as the 1992 SADC Treaty attests.

By qualitative-evaluative analysis, it is meant that the study focuses on collecting data in order to analyse the implementation of the 2007 SADC resolution to initiate mediation intervention in the Zimbabwe

conflict. In this sense, the official SADC communication on the Zimbabwe problem, most of which was in the form of communiqués released by the SADC summit, and which is freely accessible on the organisation's website is used as primary data. However, the evaluation as a whole does not necessarily centre on the analysis of the decision to mediate; rather, it evaluates whether or not the mediation was successful in addressing the root causes of the conflict and political-economic crisis and, as a result, put Zimbabwe on the path to political and economic stability.

The primary sources of data include relevant SADC communiqués and official statements by the Zimbabwe Government, the ZANU-PF and the two variants of the Movement for Democratic Change (MDC), and these materials were readily available on the internet. Secondary data sources comprised of journal articles and books on the subject. A qualitative-evaluation approach by its nature involves judging or appraising an idea and/or phenomenon against existing or prevailing assumptions or accepted understanding, hence secondary knowledge about mediation, roles and functions and intervention was of IGOs analysed against primary knowledge about SADC's mediation role in Zimbabwe. One advantage of a qualitative research design is that it allowed for the interpretation and understanding of the significant processes and events.

### **Critical Analysis Of The Sadc Intervention (Mediation) In The Zimbabwe Conflict**

#### *The Signing Of The Gpa*

On 29 March 2007 in Dar -es-Salaam (Tanzania), the Summit mandated South Africa to mediate and facilitate dialogue between the opposition parties and groups and the Zimbabwean government (SADC *Communiqué* 2007). The facilitation involved encouraging all stakeholders to find a lasting solution to the issues affecting Zimbabwe and, in this regard, SADC's multilateral involvement took the shape of designated third party mediation.

The 2008 Presidential Election marked a key moment in the progression and eventual de-escalation of the Zimbabwean conflict and SADC's involvement in it. As previously indicated, the election that took place in March was won by the Movement for Democratic Change-Tsvangirai (MDC-T) (47.9%) with a margin just short of the constitutionally required 51 per cent to avert a run-off election (Dzinesa

& Zambara 2011:64). For the first time in post-independence Zimbabwe, an opposition party won the election, albeit short of the required majority. In the aftermath of the election widespread interparty violence gripped Zimbabwe and SADC, through Mbeki (South Africa), responded by intensifying its mediation efforts, facilitating dialogue, and pressurising the conflict parties. The result was the GPA signed on 11 September 2008; the political agreement that ended the interparty violence and charted the way forward by committing the conflict parties to an inclusive government (Republic of Zimbabwe 2008).

### *The Gpa And Its Implementation*

In 2008, a global political agreement (GPA) was signed as a result of SADC's mediation efforts to resolve the Zimbabwe conflict. It covered a range of issues spanning the political, economic, and social spheres (GPA 2008) and signalled SADC's determination to address the causes and effects of the conflict and set Zimbabwe on a trajectory of post conflict reconstruction. Its key provision was the establishment of an interim and inclusive Government of National Unity (GNU) that included ZANU-PF, the Movement for Democratic Change-Tsvangirai (MDC-T) and the Movement for Democratic Change-Mutambara (MDC-M). The GNU was required to govern Zimbabwe for five years pending the drafting of a new constitution and the holding of an election to form a new legislature and executive. In terms of the agreement, all the key state positions were distributed among political parties' members constituting the GNU. Mugabe remained President, while Tsvangirai of the MDC-T and Mutambara of the MDC-M assumed the newly established positions of Prime Minister and Deputy Prime Minister, respectively (Mutisi 2011:3). The Ministerial Portfolios were also shared by the members of the GPA parties.

Among the GNU's responsibilities were the drafting of a new constitution; promoting equality, human rights, and respect for the rule of law and the constitution; restoring economic stability and growth; canvassing support for the removal of sanctions against Zimbabwe; and conducting a land audit to undertake land reform (GPA 2008). The GNU's objectives were extensive and decisive in respect of the writing of the new constitution and addressing the underlying causes of the conflict and governance shortcomings.

In 2008, the GPA also provided for the establishment of a Joint Monitoring and Implementation Committee (JOMIC) by the parties to the GNU. The JOMIC comprised four representatives from each of the

political parties in the GNU. In terms of its scope, it was tasked with ensuring the implementation of the GPA; if necessary, taking steps to expedite this implementation; conducting a continuous assessment of the implementation process; receiving reports and complaints about the implementation process; and fostering mutual trust and dialogue between the parties (GPA 2008). SADC implemented procedures to minimise the likelihood of non-implementation of the GPA settlement commitments. Nonetheless and regarding its mandate, the JOMIC has been criticised for failing to do its work, with the Executive Secretary of SADC, Tomaz Salomão, expressing his dismay at the lack of commitment shown by those entrusted with the responsibility of implementing the provisions of the JOMIC (Zimbabwe Independent 2013). In light of the preceding, it is clear that the parties' commitment to a power-sharing agreement is crucial, as without it, the settlement would be at risk of failing.

As part of the SADC mediation outcomes, the GNU was given primary responsibility for implementing the GPA. Although the GPA called for the establishment of an inclusive government in Zimbabwe, by the onset of 2009, the required constitutional processes had not yet been undertaken to officially establish the GNU. This demonstrated the complexity connected with implementing a settlement resulting from conflict resolution efforts. In light of this, and in January 2009, the Summit exerted pressure on the signatories of the GPA to ask the Zimbabwean Parliament to make the necessary constitutional arrangements so that the GNU could be sworn in. The summit further called for the Prime Minister and Deputy Prime Minister to be sworn in by 11 February 2009, and the Ministers and Deputy Ministers to be appointed by 13 February 2009; thus concluding and constituting the GNU (SADC *Communiqué* 2009). Subsequently, the GNU was constituted and came into power on 13 February 2009. Thus, SADC played a significant role in diplomatically pressuring the conflict parties to implement one of the crucial stipulations of the GPA.

Following these developments, SADC's mediation involvement was reduced to a more limited monitoring and advisory role, overseeing the GPA's implementation. This was evidenced by the various *communiqués* issued thereafter that deliberated over the progress made and urged the GNU parties to take necessary steps to improve implementation. In addition, SADC's subsequent role included supporting and encouraging the GPA parties to cooperate. For example, in August 2009 the SADC Summit that convened in Windhoek (Namibia) commended Jacob Zuma, who as the new South African president had replaced Mbeki as the SADC designated mediator, for his continuing encouragement of the



GPA parties to cooperate. The Summit also urged the international community to lift sanctions against Zimbabwe (SADC *Communiqué* 2010), thereby creating conditions that would promote the GPA implementation and the de-escalation of the conflict. This quasi-monitoring role of SADC continued over the next two years.

The SADC Summit (held in South Africa on 11-12 June 2011) received a report from Zuma regarding the progress made in the implementation of the GPA (SADC *Communiqué* 2011). In it, he acknowledged that progress was made regarding consultation between different stakeholders on implementing outstanding issues. These included the deployment of SADC election observers; the validity of electoral laws; respect for the rule of law; and media reform. Moreover, the Summit urged the Organ Troika to continue to assist the stakeholder parties with the implementation of the GPA and to appoint Organ representatives to the JOMIC (SADC *Communiqué* 2011). Furthermore, the Summit resolved to continue with diplomatic efforts aimed at convincing Western powers to lift sanctions against Zimbabwe (SADC *Communiqué* 2011). Similarly, on 8 December 2012 in Dar-es-Salaam (Tanzania), the Summit urged the stakeholders to comprehensively implement the GPA and finalise the Draft Constitution, and to set a referendum date before the scheduled 2013 General Election (SADC *Communiqué* 2012). In light of the foregoing, the Summit served as a forum for charting the way forward, communicating progress, addressing obstacles, and encouraging the lifting of international sanctions in order to assure the GPA's implementation.

Regarding convening post-GNU elections, on 31 May 2013, the Supreme Court of Zimbabwe ruled that the General Election must be held on 31 July 2013. This happened after a Zimbabwean citizen, Jealousy Mawarire, petitioned the Court to order the president to set an election date before 29 June 2013, the GNU's expiration date (Nehanda Radio 2013). In response, Tsvangirai and Industry Minister Welshman Ncube approached the Constitutional Court to seek a postponement of the election date to either 12 or 25 August 2013. But on 4 June, the court ruled that the 31 July 2013 date stood (VOA Zimbabwe 2013), effectively ending the uncertainty surrounding the election date and confirming the end of the GNU era. Subsequently, in his capacity as the President of Zimbabwe, Mugabe on 11 July 2013 unilaterally announced that general elections will be held on 31 July 2013, coinciding with the end of the five year term of the GNU on 29 June 2013 (The Guardian 2013). The lack of consensus among the key actors in the GNU attest to the 'uneasy' nature of an inclusive government constituted by and of erstwhile

enemies. As part of the attempts to secure postponement of the election date, Tsvangirai made a speech on 15 June 2013 at the SADC Summit held in Maputo (Mozambique), in which he bemoaned Mugabe's unilateral announcement of the election date. He argued that it did not allow sufficient time for voter registration and voter mobilisation by the political parties, and also contended that the media had not yet been fully reformed (as required by the GPA) to be able to report in a nonpartisan manner (Newsday 2013). In response the Summit indicated that Zimbabwe's Constitutional Court was the only institution that could make a judgement on the election date. It nevertheless urged the GNU to request the Constitutional Court to grant an election date beyond the one set date by Mugabe (SADC *Communiqué* 2013a). Despite this SADC appeal, the Court never changed its verdict, and its position affirmed Zimbabwe's independence from the organisation.

On 31 July 2013 Zimbabwean voters went to the polls and peacefully elected a new government. The ZANU-PF won the election by 61 per cent (Mail & Guardian 2013). The Summit held on 17-18 August 2013 in Lilongwe (Malawi), congratulated Mugabe on his electoral victory and reiterated its request for the removal of sanctions against Zimbabwe (SADC *Communiqué* 2013b). For SADC the convening of the 31 July election marked the end of the organisation's mediation and highlighted, at the time, the resolution of the Zimbabwe conflict as framed by the GPA. ZANU-PF's electoral victory signified the end of the GNU and the party's restoration to complete power. However, it did not completely resolve and end the conflict, as subsequent events and discontent would demonstrate.

## **Emerging And Contending Issues Of The SADC Intervention (Mediation) In Zimbabwe**

### *The SADC Mediation Process*

As a multilateral regional organisation, SADC has been and continues to be utilised by its member states to address and manage disputes and conflicts in the Southern African region. Before commenting on the mediation process, it is necessary to consider organisation's role in conflict management and resolution. Ngoma (2003:20-21) presents a positive picture of SADC's role as guarantor of peace and security in the region. To support this position, he argues that the FLS and SADCC, predecessors of SADC, played an important role in liberating the oppressed people of (the current) Zimbabwe, Namibia and South Africa

through various peaceful and non-peaceful strategies. Although other actors and factors were also influential and decisive, the role played by the FLS and SADCC states in this decolonisation and liberation process cannot be understated. The implication of Ngoma's argument is that SADC and its peace support role cannot be separated from those of its predecessors and, in fact, represents a direct evolution of the FLS and SADCC. Thus according to this perspective, SADC's pursuit of peace and security (including in the case of Zimbabwe) is not only based on a long history of conflict involvement and human rights advocacy in Southern Africa, but also constitutes a constructive continuation of this history.

In contrast, Nathan (2013: 183-185) argues that SADC's ability to promote peace and security in the region is questionable. He contends that, in particular, SADC's culture of state solidarity often overrides the principles of democracy and human rights in the region, as evidenced by the decision to disband the SADC Tribunal following its ruling on farm seizures. Nevertheless, it is essential to recognise that the SADC Tribunal rendered judgments in accordance with the SADC Treaty and did so successfully. Eventually it was the failure of leaders at the summit level to offer the much needed political support to and implement the Tribunal ruling that was the problem and not the SADC Tribunal *per se*.

As previously indicated, SADC initially expressed its worry when the conflict broke out with farm invasions during the early 2000s. However, by not making a decisive intervention early on, it arguably missed an opportunity to prevent the further escalation of the conflict and to avert or reduce its effects. As the Zimbabwe situation deteriorated, South Africa (under Mbeki) was appointed in 2007 to mediate on behalf of the organisation, following the establishment of a task force. At this point, SADC launched formal mediation in Zimbabwe, thus altering the structure of the conflict from dyadic to triadic. Initially, Mbeki's mediation efforts, which constituted an attempt by SADC to manage the conflict, failed to make considerable headway. For example, when he was first deployed as SADC mediator, Mbeki was tasked with facilitating a dialogue between the opposition and the government to ensure an enabling environment for a free and fair election in 2008. As events turned out and as commonly accepted, the 2008 election was disputed and anything but free and fair (Chinyere & Hamauswa 2015:5). However, as the interparty conflict escalated in the aftermath of the election, SADC was able to broker a power sharing arrangement through its mediation efforts. The result was a peace deal in the form of a settlement agreement – the GPA of September 2008.

Considering its initial limited progress and the fact that mediation only commenced in 2007, the question is why the SADC mediation process was able to successfully conclude a peace settlement only after and not before the 2008 presidential run-off? The answer is in the different situations that existed pre-election and post-run-off. First, the economic cost of the post-2008 election violence was enormous, as evidenced by ZANU-PF's insistence that the restoration of sanctions must follow the peace agreement (Mail & Guardian 2012). Second, there was considerable international and regional pressure on the conflict parties, in particular on the ZANU-PF-led government, to end the violence (Human Sciences Research Council 2008:20-31). Third, SADC undertook mediation in Zimbabwe to stem the negative effects of the conflict on regional stability (Ndlovu-Gatsheni 2011). The widespread instability that accompanied the aftermath of the presidential run-off signalled the severity of the situation and the need for a resolution. For example, by the time a decision on formal mediation was taken, Zimbabwe was already experiencing violent interparty conflict that had seriously affected socioeconomic and political stability. Fourth and last, the conflict had escalated and prolonged to a point where it appeared that only a power-sharing deal could end it, and the government had lost its legitimacy to remain in power, especially after Mugabe had lost the election by a margin that necessitated a run-off. This situational context and the constraints associated with it weakened the government to the point where it was more receptive to a SADC-mediated settlement.

In addition to this conducive situational context, SADC's preference for mediation over other, more coercive tactics is embedded in two considerations. The first consideration, infused by the moral and legal imperatives that guide regional organisations, is the near-axiomatic acceptance of the requisite use of peaceful methods. This position is argued by various analysts. According to Dzinesa and Zambara (2011:64) SADC opted for mediation despite lacking a competent mediation structure and seasoned mediators to carry out the process. However, intra-state conflicts present complex problems to regional organisations, not least because of the sovereignty and non-interference norms. Nevertheless, the fact that SADC was able to broker a peace deal in Zimbabwe, regardless of how imperfect it might have been, demonstrates the organisation's ability to successfully intervene through mediation. Similarly, Hendricks (2005:120) contends that negotiation and mediation are the primary or preferred mechanisms for resolving conflicts for SADC. In addition, although the 2001 Protocol makes provision for enforcement action in cases where peaceful means have

proved futile, the region's leaders prefer to use mediation, which is essentially a pacific method of conflict resolution (SADC 2001). SADC's preference for a pacific approach embodied in conflict mediation rather than a coercive approach involving sanctions or military intervention, has to be understood against the background of the organisation's ambition to establish a regional 'security community'.

The second factor relates to the reasons SADC prefers mediation over alternative conflict resolution methods. Mediation has an intrinsic appeal since it introduces an impartial third party to an intransigent dyadic situation. Since mediation is voluntary and requires the consent of the conflict parties agreeing to the mediator, the mediation process and the mediation outcome, it does not infringe on the sovereignty of states to the same extent as a binding resolution of a multilateral organisation (Bercovitch 2011). With mediation, there is no threat of physical force as an alternative, or the possibility of invoking a juridical authority to make a ruling binding to the parties. The process of mediation, which is facilitated by a third party, creates an alternate channel of communication between conflicting parties, thereby improving communication and the exchange of information, which increases the likelihood of achieving a peace agreement. Finally, because mediation is reliant on mutual consent and voluntarism, the risk of a re-emergence of conflict is greatly reduced once the outcomes are accepted by all the conflict parties involved. In a qualified sense, the SADC mediation process in Zimbabwe demonstrated and solidified these considerations.

These reasons were specifically applicable to the Zimbabwe mediation process undertaken by SADC, especially considering SADC's circumspect and cautious low risk approach to the Zimbabwe conflict; and also considering that Zimbabwe is a strong regional power that asserted its sovereignty, thus reducing the possibility of effectively using another alternative. For example, in April 2011 the SADC Troika comprising Mozambique, Zambia and South Africa criticised and condemned Mugabe's continued harassment of his opponents, the violence meted out against members of opposition parties who were GNU coalition partners, and his intransigence on an early election although conditions were far from ideal (The Standard 2011). In response, Mugabe reminded SADC that a facilitator was a facilitator, not someone who prescribed what must be done, and that Zimbabwe was a sovereign state and cannot be dictated to by any other state or organisation (Mail & Guardian 2011). The aforesaid rationalisation of SADC mediation in Zimbabwe set a precedent for its subsequent

mediatory involvement in Madagascar (2009) and Lesotho (2014), thereby reaffirming it as SADC's preferred conflict resolution method.

This does not mean that SADC mediation in the Zimbabwe conflict was exempt from inherent procedural restrictions and operational constraints. Firstly, Bercovitch (2011:94-95) argues that it is difficult to measure the "fairness or effectiveness" of mediators in the mediation process and a perception of unfairness by one or the other party in conflict reflects negatively on the process and may affect outcomes. In the case of Zimbabwe, the SADC designated mediator, South Africa under Mbeki, was perceived by the MDC to be biased towards the Mugabe government (Business Day 2008), which negatively affected the organisation's mediation efforts. Secondly, Mitchell (1981:312) indicates that third party mediation suffers from fixation on a compromise solution aimed at halting coercive actions without addressing the goal incompatibility underlying the conflict, thus leaving attitudes unchanged. The alleged rigging of elections, among others, was viewed as a critical component in the Zimbabwe conflict, but SADC's mediation failed to adequately address this issue. Thirdly, the Zimbabwean government reluctantly accepted SADC's mediation, and although a conflict settlement was achieved, the government often reminded SADC that Zimbabwe was a sovereign state in order to guard against what it perceived as SADC's "uncontrollable imposition" of external influence. Finally, SADC was unable to enforce some important GPA conditions, such as security sector reform, on the conflict parties and this limited the potential (positive) effect of its mediation.

The above aspects demonstrate that while mediation by regional organisations may be acceptable, their influence is limited, not least because of the idea of inviolable sovereignty. On balance, in principle and in fact as concerns the Zimbabwe conflict, mediation was seen and used as the most appropriate method of conflict resolution. However, this balance sheet is incomplete without additionally evaluating the appropriateness and efficacy of the mediation outcome.

### *The GNU Settlement Outcome*

The Zimbabwe GNU was a power sharing arrangement between ZANU-PF, MDC-T and MDC-M. According to Miti, Abatan and Minou (2013:2) power sharing takes different forms. In general, it involves distributing important state and government positions, spanning the executive, legislature, judiciary through to security services, especially in cases of manifest conflict. In light of this, the GNU was a classic

example of a power-sharing system, with its emphasis on distributing key state positions to the conflicting parties. Hence the subsequent emphasis on the GNU that emanated from the GPA.

The GNU had to address a spectrum of issues ranging from the political to the social to the economic. To stabilise the economy, the GNU replaced the Zimbabwe dollar, which had almost completely lost all of its value, with the US dollar. Socially, many institutions that shut down, such as universities, reopened, and the GNU encouraged the political foes to put aside their differences and work together for the betterment of Zimbabwe. In the political domain, the GNU had the responsibility of drafting a constitution under which democratic elections could be held subject to a referendum. To this end, the GNU created the Select Committee of Parliament that was tasked with the drafting process in consultation with civil society and communities (Republic of Zimbabwe 2008). After the committee completed the constitution-drafting process, a referendum was held on March 17, 2013, with 94.5 per cent of Zimbabweans voting in favour of the draft constitution. The successful completion and acceptance of the new constitution marked the end of the SADC-brokered GNU, also considering that the subsequent election would usher in the post-conflict, post-GNU era. Apart from their reciprocal supportive and confidence-building effects, the relative economic wellbeing and political stability that emerged reinforced the social domain, being a precondition for human security. However, the GNU was subject to criticism.

Some contend that the GNU deprived the Zimbabwean people of their constitutional right to elect their own government (Dziva, Dube & Manatsa 2013:86-87). For them, the GNU rewarded those who had previously perpetrated grim human rights violations since “it (the GNU) was (the) joining together of victors and the vanquished, victims and perpetrators of human rights violations” (Dziva, Dube & Manatsa, 2013:86). This argument ignores the fact that the GNU was never democratic experiment, but an attempt at political compromise to resolve a conflict that saw many people lose their lives. They also point out that the constitution drafting process was dominated by the GPA parties and majorities at the expense of minority communities. Therefore, the claim that the people of Zimbabwe were the drafters of the country’s constitution was misleading. Adding to the criticism labelled against the GNU, Dodo *et al.* (2012:211) argue that the GNU was largely a failure in that rampant civil service corruption, unchecked spending and nepotism continued during its rule. In addition, they note that security services vowed not to recognise any government other than the ZANU-PF led

government and, that accordingly, the GNU failed to restrain the highly politicised state security sector through security sector reform. Although valid, these arguments were applied in the wrong context, as the commonly accepted purpose of a GNU is to end conflict and pave the way for free and fair elections, which the SADC-brokered GNU in Zimbabwe achieved to a significant albeit not an absolute or undisputed extent.

Furthermore, Dzinesa and Zambara (2011:64) argue that ZANU-PF ignored coalition partners' requests for consultation before making senior state appointments. They (2011:65) contend that the fallacy of the JOMIC was that the three parties to it were both 'players and referees', thereby leaving aggrieved parties without an external and independent adjudicator. This argument understates the role SADC summits played in the GPA implementation by the GNU and the extent to which they exerted pressure on GNU partners. For example, in 2011 in Livingstone (Zambia) the Summit of the Organ Troika expressed its disappointment with the lack of progress in the implementation of the GPA and subsequently urged the GNU to fast-track its implementation.

Although there were occasional disagreements between the political parties that formed the GNU, it nevertheless introduced a measure of stability and, during its existence Zimbabwe was by far a more peaceful, safer and secure country than before. Thus the SADC-brokered GNU, from a security viewpoint, managed to significantly reduce the level of conflict, particularly violent conflict, and to procure a constitution to ensure free and fair elections and a more stable political future for Zimbabwe. The achievements (or lack thereof) of the GNU are in no way adequate indicator of the outcome of SADC intervention. In the final analysis, the successful and effective implementation of the GNU was the responsibility of the parties to the conflict and not that of SADC. The most important and direct result of SADC mediation was the successful conclusion of the GNU, which led to the end of violence between parties and less instability within the state.

## **Summary, Conclusion And Recommendations**

The article traced SADC's mediation involvement in Zimbabwe as originating from the resolution of the organisation's summit of heads of state and government that gathered in Tanzania from 28 to 29 March 2007, which resulted in the appointment of Mbeki to mediate between the warring parties, the ZANU-PF and MDC. It explored the theoretical and conceptual understanding of mediation and outlined the



methodology used in the research. Moreover, the article narrated and analysed the mediation of SADC, particularly focusing on the events that influenced the organisation's mediation, like the 2008 elections-related violence. SADC's mediation in Zimbabwe was also interpreted as the organisation performing the roles and functions associated with IGOs, like that of instrument, arena and actor, and the functions of aggregation and articulation, among other, of the members' views on the situation. In conclusion, SADC intervened in Zimbabwe in 2008 to halt the conflict, political and economic crises that had gripped the country. The intervention, or more specifically mediation, managed to de-escalate the conflict and crises, suspend the overt violent behaviour and bind the former enemies to a GNU. However, it was unable to result in the conflict's permanent transformation, through addressing the underlying causes, and as such, it was not surprising that the parties to the GNU struggled to work together to spearhead reforms in state institutions particularly those related to security, elections and media. It is mainly for this reason that while the SADC intervention resulted in hiatus for Zimbabwe, the country easily relapsed into the pre-intervention crisis. Therefore, it is recommended that in the future, when SADC engages in mediation interventions, it should: first, ensure that the settlement agreements reached do not concentrate access to state power in the hands of any one of the conflict parties to the detriment of the other. There must be an equal distribution of power between the parties. Second, the settlement agreements must respond to and address the underlying causes of the conflict.

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