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**The Role of the Southern African Development Community (SADC) in the
Mediation of Intrastate Democratization Conflict in Zimbabwe**

by

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DEDICATION

I dedicate this research to my father, who sowed and watered the seed and thirst for knowledge but did not live long enough to see it bloom. This PhD marks the beginning of the long road towards fulfilling our dream.



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DECLARATION

I hereby declare that this thesis, which I submit as part of the requirements of the degree Doctor of Philosophy (Political Science) at the University of Pretoria is my own independent work, and has not been submitted in the past to this University, or any other University.

Gideon Hlamalani Chitanga

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December 2022



ABSTRACT

The Southern African Development Community (SADC) launched regional mediation to facilitate political settlement and democratic installation in exiting the Zimbabwe crisis between the years 2007 to 2013. Zimbabwe faced multifaceted socio-economic and political crisis since 2000, which threatened to implode into regional contagion. The Zimbabwe crisis drew global attention, and criticism of the SADC for failing to resolve the conflict at a time when Regional Economic Communities (RECs) in Africa were increasingly involved in mediation processes to end conflict and foster peaceful democratic installation. Since the 2000s, regional mediation became a norm embraced by African leaders in seeking African solutions to African problems, and fostering African agency in providing home grown solutions to pervasive continental conflicts, including in Zimbabwe. Not enough analysis has been made on the role, implications, outcomes and impacts of the SADC mediation as pan-African diplomacy in Zimbabwe. The academic and policy polarization characterizing the sweeping criticism of the SADC mediation in Zimbabwe between the Global West and Africans obfuscates the understanding of its processes, role, impacts, outcomes and implications. While the SADC and other regional organizations in Africa continue to opt for regional mediation as pan-African diplomacy, and a strategy of choice, critics suggest that the prospects and implications of regional mediation to political stability and peaceful democratic transition remain ambivalent, if not ambiguous. Based on literature view, this study examines the SADC mediation as pan-African diplomacy towards resolving the intractable violent intrastate democratization conflict and problematic democratic transition in Zimbabwe, focusing on its role, impact, outcomes and implications.

Keywords: Intrastate democratization conflict, Regional Mediation, Democratic Transition and Pan-African Diplomacy.



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ZANU PF	Zimbabwe African National Union Patriotic Front
PF ZAPU	Patriotic Front Zimbabwe African Peoples Union
MDCT	Movement for Democratic Change Tsvangirai
MDCM	Movement for Democratic Change Mutambara
GPA	Global Political Agreement
MOU	Memorandum of Understanding
IG	Inclusive Government
GNU	Government of National Unity
NCA	National Constitutional Assembly
COPAC	Constitutional Parliamentary Committee
SADC	Southern African Development Community
AU	African Union



CHAPTER 1: IDENTIFYING THE RESEARCH THEME

1.1 Identifying The Research Theme

This research examines the role of the Southern African Development Community (SADC) mediation as a form of Pan-African diplomacy in resolving intrastate conflicts related to democratization in Zimbabwe. The study aims to analyze the role, outcomes, and implications of SADC mediation in facilitating a peaceful democratic transition and ensuring political stability in Zimbabwe. The theoretical foundations of this research draw from liberal institutionalism and constructivism, which are significant theories in the field of international relations (IR). Throughout this study, the main themes and key concepts discussed include mediation, Pan-African regionalism, Pan-African regional diplomacy, democracy, democratization, and the democratic transition paradigm. Chapter two provides a detailed definition and elaboration of these concepts; however, for the purpose of establishing the study's background, a brief outline of the key concepts is presented here.

The SADC mediation initiative was initiated in the period between 2007 and 2008 to 2013 to address the ongoing conflict in Zimbabwe, which had escalated and worsened since 2000.¹ In 2007, the Zimbabwe conflict manifested in extensive violent polarization, while in 2008, it resulted in an election deadlock. These events were accompanied by gross human rights violations, a humanitarian crisis, and state-perpetrated violence against opposition counter-protests.²

Liberal democratic scholars attribute the origins of the Zimbabwe conflict to the 2000s, highlighting its multifaceted and complex nature, encompassing violence, socio-economic challenges, humanitarian crises, and political instability, which posed a threat of regional destabilization.³ The Zimbabwe conflict can also be understood in the context of long-standing structural socio-economic and political factors. The dynamics of this conflict raise questions about the challenges faced by liberal democracy and democratic transition in Africa. It prompts inquiry into whether liberal democracy is failing in Africa and how regional mediation efforts

¹ Sibanda, M. M. 2014. SADC Mediation in Zimbabwe's Global Political Agreement (GPA): A Reflection on Opportunities and Complexities. *Africa's Public Service Delivery & Performance Review*, 2(2), pp. 21-51.

² Human Rights Watch. 2008. "Bullets for Each of You", State-Sponsored Violence since Zimbabwe's March 29 Elections, 9 June 2009, <https://www.hrw.org/report>, Viewed 15 July 2022.

³ Sachikonye, L. M. 2002. Whither Zimbabwe? Crisis & Democratisation. *Review of African Political Economy*, 29(91), pp. 13-20.



can address these challenges.⁴ The contradictions observed in the process of democratic transition, as reflected in the Zimbabwe conflict, challenge the prevailing academic, expert, and policymaking discourse that has predominantly focused on mitigating the complex mix of disruptive forces within African polities solely through the lens of modernization and liberal democracy.⁵ This discourse tends to underestimate or overlook the significance of indigenous African political thought and historical experiences. By narrowing the focus to the contradictions of democratic transition informed solely by liberal institutionalism, it overlooks the need for dialectical discourses on reinventing liberal democracy in Africa, considering local peculiarities and critical interests of its socio-political context, without compromising existing democratic rights, the central role of elections, and civil and political liberties.⁶

The extensive open violence in 2007, including the direct physical attacks on key opposition leaders and their subsequent illegal arrest, shocked the world and garnered widespread condemnation.⁷ This was followed by a violent deadlock in the 2008 elections, characterized by the collapse of the state and government, disruption of socio-economic activities, and the provision of public goods. It also led to an unprecedented humanitarian crisis and escalating interparty violence resembling a low-intensity conflict between ZANU PF and the MDC formations.⁸ As a result, there was a domestic, continental, and international outcry for urgent solutions to the Zimbabwe conflict. Masunungure compellingly discusses the multiple dimensions and issues of interparty rivalry among the conflict protagonists regarding the 2008 election deadlock.⁹ However, it is important to note that alongside state-perpetrated violence, there were also calls by many Zimbabweans, both within and outside ZANU PF and the main opposition formations, for land reform and the need to address historical injustices.¹⁰

Since 2000, Zimbabwe has experienced cycles of interparty election disputes, fueling intractable zero-sum struggles and counter-struggles for political power under the winner-

⁴ Ubi, E.N. and Ibonye, 2019. Is Liberal Democracy Failing in Africa or Is Africa Failing under Liberal Democracy? *Taiwan Journal of Democracy*, Volume 15, No. 2, pp. 137-164.

⁵ Ubi, E.N. and Ibonye, 2019. Is Liberal Democracy Failing in Africa or Is Africa Failing under Liberal Democracy?, *Taiwan Journal of Democracy*, Volume 15, No. 2, pp. 137-164.

⁶ Ubi, E.N. and Ibonye, 2019. Is Liberal Democracy Failing in Africa or Is Africa Failing under Liberal Democracy?, *Taiwan Journal of Democracy*, Volume 15, No. 2, pp. 137-164.

⁷ Mutambara, A.G.O. 2018. *Path to Power: An Autobiography of Thought Leadership (In Search of the Elusive Zimbabwean Dream Book 2)*, Harare, SAPEs.

⁸ Kapp, C., 2009. Zimbabwe's humanitarian crisis worsens. *The Lancet*, 373(9662), p.447.

⁹ Masunungure, E.V. 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare, Weaver Press.

¹⁰ Sadomba, Z. W. 2011. *War Veterans in Zimbabwe's Revolution: Challenging Neo-colonialism & Settler & International capital*. Boydell & Brewer Ltd.



takes-all majoritarian political system. Scholars such as Sithole,¹¹ Makumbe,¹² Sachikonye,¹³ and Masunungure,¹⁴ among others, have extensively explored the liberal democratic dimensions of the Zimbabwe conflict, focusing on its humanitarian implications, violations of human and property rights, as well as infringements on freedoms of the press, expression, association, and civil and political liberties, all of which were perpetrated by the state. The 2008 conflict and its repercussions were unprecedented and threatened sub-regional stability within the Southern African Development Community (SADC), as large numbers of Zimbabweans illegally fled the country *en masse* to South Africa and other neighbouring nations, thereby exporting the humanitarian crisis to much of the SADC region.¹⁵

The Zimbabwe democratization conflict garnered more international attention than any other regional or continental conflict, except for the struggle to end apartheid in South Africa. African regional organizations such as the African Union (AU) and SADC, as well as the Western international community, mirrored the postures of the domestic conflict protagonists but differed on their perceptions of the nature of the conflict and the best approaches to resolving the crisis. The Western international community, including Britain, the USA, the EU, and the Commonwealth, predominantly framed the Zimbabwe conflict as a crisis of democratic transition, characterized by violations of democratic norms, values, and political and civil liberties, leading to the humanitarian, socio-economic, and political instability.¹⁶ Consequently, they disengaged diplomatically from the Zimbabwean government, implemented targeted sanctions since 2002, and pursued a policy of condemnation and ostracization in response to the violations of human, property, and democratic rights, as well as civil and political liberties.¹⁷ In contrast, the government of Zimbabwe perceived this posture as external aggression and illegal intervention in its domestic affairs, prompting mutual resentful condemnation while

¹¹ Mair, S. and Sithole, M. 2002. Blocked Democracies in Africa. Case Study Zimbabwe, Harare, KAS.

¹² Makumbe, J. 2006. Electoral politics in Zimbabwe: authoritarianism versus the people. *Africa Development*, 31(3), pp. 45-61.

¹³ Sachikonye, L. 2017. The Protracted Democratic Transition in Zimbabwe. *Taiwan Journal of Democracy*, 13(1), pp. 117-136.

¹⁴ Masunungure, E. V. 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare, Weaver Press.

¹⁵ Mlambo, A. and Raftopoulos, B., 2010. The Regional Dimensions of Zimbabwe's Multi-layered Crisis: An Analysis. In *Election processes, Liberation movements and Democratic change in Africa Conference*. Maputo: CMI and IESE.

¹⁶ Howard-Hassmann, R.E., 2010. Mugabe's Zimbabwe, 2000–2009: Massive Human Rights Violations and the Failure to Protect, *Human Rights Quarterly*, Vol. 32, No. 4, pp. 898-920 .

¹⁷ Chigora, P. and Edson, Z.I.S.O., 2011. Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium. *Alternatives: Turkish Journal of International Relations*, 10(2&3), pp.105-121.



seeking closer African solidarity¹⁸ and increased socio-economic support, primarily from China.¹⁹

African regional organizations and leaders identified the Zimbabwe conflict and its potential solutions as being rooted in the simultaneous contradictions of democratization rivalry and the historical burden of unresolved historical and structural legacies of colonialism, which limited the state's ability to fulfill national aspirations.²⁰ They also acknowledged the systematic democratic and economic shortcomings of the post-colonial state, particularly Zimbabwe's majoritarian and exclusionary political system, which evolved from a concessionary path of colonial transition to an undemocratic and authoritarian regime.²¹ While post-colonial liberal democracy failed to foster unity, political stability, and inclusive democracy, as well as address the socio-economic aspirations of the majority black population, African leaders emphasized that Zimbabweans should take centre stage in resolving their domestic issues with the support of SADC, the AU, and the international community.²² Importantly, despite the common perception that African leaders supported ZANU PF and Mugabe, reservations were expressed by African leaders regarding the strategic and tactical directions taken by ZANU PF as early as 2001.²³

Academics, policymakers, and public opinion became emotionally polarized, reflecting the divisions between ZANU PF and MDC supporters, African communities, and the Western international community.²⁴ These polarizations mirrored the partisan and ideological divisions within Zimbabwean political society, as well as intellectual perspectives between those rooted in Western liberal democratic ideologies and many Africanists.²⁵

¹⁸ Chigora, P., 2007. On Crossroads: Zimbabwe's Foreign Policy and the West. *Journal of Sustainable Development in Africa*, 9(1), pp.170-184.

¹⁹ Ojaborotu, V. and Kamidza, R., 2018. Look East Policy: The case of Zimbabwe–China Political and Economic Relations Since 2000. *India Quarterly*, 74(1), pp.17-41.

²⁰ The Mbeki-Mugabe Papers, Mail and Guardian (SA) <http://www.mg.co.za/uploads/mbekimugabepapers.pdf>, Viewed 20 August 2021.

²¹ The Mbeki-Mugabe Papers, Mail and Guardian (SA) <http://www.mg.co.za/uploads/mbekimugabepapers.pdf>, Viewed 20 August 2021.

²² The Mbeki-Mugabe Papers, Mail and Guardian (SA) <http://www.mg.co.za/uploads/mbekimugabepapers.pdf>, Viewed 20 August 2021.

²³ Mbeki's Prescient Warning to Bob, The Mail and Guardian (SA), 27 Jun 2008, <https://mg.co.za/article/2008-06-27->, Viewed 20 August 2021.

²⁴ Masunungure, E.V. and Badza, S., 2010. The Internationalization of the Zimbabwe Crisis: Multiple Actors, Competing Interests. *Journal of Developing Societies*, 26(2), pp.207-231.

²⁵ Mamdani, M., 2008. Lessons of Zimbabwe, *London Review of Books*, Vol. 30 No. 23, <https://www.lrb.co.uk/the-paper/v30/n23>, Viewed 20 August 2021.



The main conflict protagonists, the ruling ZANU PF party led by President Mugabe, and the main opposition MDC, led by Morgan Tsvangirai, adopted mutually opposing hardline postures, reflecting deep personal resentments, suspicions, and even hatred. This animosity was also evident among broader ZANU PF and MDC leaders, as well as their respective supporters at various institutional levels and individual levels. As highlighted by MacCandles²⁶ and Le bas,²⁷ this division was also reflected in civic and traditional formations, which were split in their support for the two main political groups and their leaders.

After the split of the MDC in 2005, one faction, the MDC led by Welshman Ncube (MDC-W), emerged as a major player in the conflict, resulting in three main political parties becoming the key protagonists. The MDC factions themselves experienced deep ethnic and personalistic intra-party rivalries and mutual resentments among themselves and towards ZANU PF. However, ZANU PF, under the leadership of Mugabe, and the MDCT, under Tsvangirai, dominated political rivalry in Zimbabwe, almost transforming the political system into a two-party dominant structure.²⁸

Since 2000, ZANU PF and the MDC have been engaged in cycles of electoral contestation, where disputed outcomes have contributed to intensified socio-economic crises and political conflicts. The recurring rivalry and disputes surrounding elections raise questions about the role of elections in Zimbabwe's democracy. While elections are an important measure of democracy, their problematic nature has exacerbated violent instability in the country. The Zimbabwe elections have implicated complex long-term contradictions, as highlighted by Raftopoulos,²⁹ Mkandandawire,³⁰ and Freeman.³¹ The conflict in Zimbabwe has multiple layers, some of which are contradictory, resulting in a transition overload that escalated into domestic conflict. The extensive body of liberal democratic scholarship suggests that the

²⁶ McCandless, E., 2011. Polarization and Transformation in Zimbabwe: Social Movements, Strategy Dilemmas and Change. Cape town, Lexington books.

²⁷ LeBas, A., 2006. Polarization as Craft: Party Formation and State Violence in Zimbabwe. Comparative Politics, pp.419-438.

²⁸ Coltart, D., 2016. The Struggle Continues: 50 Years of Tyranny in Zimbabwe, Cape town, Jacana

²⁹ Mlambo, A. and Raftopoulos, B., 2010, The Regional Dimensions of Zimbabwe's Multi-layered Crisis: An Analysis. In Election processes, Liberation movements and Democratic change in Africa Conference. Maputo: CMI and IESE.

³⁰ Mkandawire, T., 2020. Zimbabwe's Transition Overload: An Interpretation. Journal of Contemporary African Studies, 38(1), pp.18-38.

³¹ Freeman, L., 2005. Contradictory Constructions of the Crisis in Zimbabwe, Historia, Vol. 50, No. 2, pp. 30-42.



Zimbabwe crisis was driven by ZANU PF's ruthless authoritarianism, the erosion of democratic values and norms, the breakdown of the democratization process, and violent conflicts.³²

Zimbabwe gained independence in 1980 under a multiparty constitutional democratic system, albeit with its own set of challenges.³³ Despite incremental democratic progress during the 1990s and extensive political mobilization by the opposition MDC, demands for constitutionalism and civil liberties plunged Zimbabwe into cycles of polarized political violence. Concurrent state-perpetrated violent campaigns for land reform and restitution for historical colonial injustices set Zimbabwe on a path of unprecedented democratization conflict, resulting in a blocked democracy.³⁴ The resolution of this conflict drew the intervention of SADC mediation, accompanied by international sanctions.

The notion of a blocked democracy, based solely on the transition paradigm as postulated by Sithole and other liberal democratic scholars,³⁵ overlooks the simultaneous long-term implications of the historical legacy of settler-colonialism and the challenges of democratic transition. Historical and contemporary structural factors, particularly in post-colonial Africa, play a crucial role in constraining democratic transitions and political stability. Meaningful processes of democratization encompass securing civil and political rights, as well as socio-economic rights, ensuring the physical security and livelihoods of African citizens,³⁶ the majority of whom are dependent on land access and the agrarian economy.

Indeed, elections in Zimbabwe, like in many other African countries, have become a major focal point for violent destabilizing rivalries. Extensive research on the Zimbabwe crisis reveals the failure of Mugabe's policies,³⁷ the use of violent authoritarian state coercion,³⁸ and the broader violation of electoral norms and values. These factors have culminated in outright

³² Howard-Hassmann, R.E., 2010. Mugabe's Zimbabwe, 2000–2009: Massive Human Rights Violations and the Failure to Protect, *Human Rights Quarterly*, Vol. 32, No. 4, pp. 898-920.

³³ Kriger, N., 2021. Zimbabwe's Peace Settlement: Re-evaluating Lancaster House. In *Peacekeeping in Africa*, London, Routledge, pp.83-104.

³⁴ Mair, S. and Sithole, M., 2002. *Blocked Democracies in Africa: Case Study Zimbabwe*. Konrad Adenauer Foundation.

³⁵ Mair, S. and Sithole, M., 2002. *Blocked Democracies in Africa: Case Study Zimbabwe*, Harare, Konrad Adenauer Foundation.

³⁶ Ake, C., 1991. Rethinking African Democracy. *Journal of Democracy*, 2(1), pp.32-44.

³⁷ Besada, H. and Moyo, N., 2008. *Zimbabwe in Crisis: Mugabe's Policies and Failures*, africaportal.org, Viewed 10 January 2022.

³⁸ Raftopoulos, B., 2007. Nation, Race and History in Zimbabwean politics. In *Making Nations, Creating Strangers*, Brill, pp. 181-194.



rigging or manipulation of electoral processes and outcomes, triggering disputes over the legitimacy of election results.³⁹

The violent land reform in Zimbabwe, which stands as one of the largest compulsory land redistribution exercises in world history, triggered the main contours of the conflict intertwined with the struggle for democracy. Elections, which should serve as the primary determinant of democracy and the legitimate means for leadership succession and change,⁴⁰ became a significant immediate battleground for a complex, multifaceted, and multi-layered conflict, as observed in other African countries such as Kenya,⁴¹ Madagascar,⁴² and Lesotho,⁴³ among others. This suggests that elections, in and of themselves, can be a source of conflict and violent political polarization, incapable of fostering democracy and political stability, particularly in socio-economically, racially, and ethnically divided states striving for nationhood.

The Zimbabwe conflict raises questions about the challenges of elections and democracy, as well as how the historical legacy of colonial settlerism contributed to contemporary instability in post-colonial Zimbabwe. It also challenges conventional thinking on how regional organizations can facilitate holistic and peaceful democratic transitions and political stability, moving beyond the narrow confines of Schumpeterian democracy.⁴⁴ Furthermore, the Zimbabwe conflict challenges our understanding of democratic models and neo-classical economic paradigms upon which the transition from colonial rule was based. Models like the Lancaster House Settlement in Zimbabwe overlooked the broad-based developmental and socio-economic needs of the previously marginalized and oppressed black population under colonial rule, while transferring political power to the black elites. This model set a flawed foundation for democracy, as increased economic marginalization, inequality, and poverty among large segments of the population, stemming from the failure of neo-classical trickle-down economics and post-colonial partisan governance systems, posed medium to long-term threats to socio-economic and political stability by deepening class, ethnic, and racial divisions and fuelling violent conflicts through polarized partisan populist mobilization.⁴⁵

³⁹ Masunungure, E.V.(Ed.) 2009. *Defying the Winds of Change*. Harare, Konrad Adenauer Foundation

⁴⁰ Schumpeter, J.A., 2013. *Capitalism, Socialism and Democracy*. London, Routledge.

⁴¹ Dercon, S. and Gutiérrez-Romero, R., 2012. Triggers and Characteristics of the 2007 Kenyan Electoral Violence. *World Development*, 40(4), pp.731-744.

⁴² Adolfo, E.V., Söderberg Kovacs, M., Nyström, D. and Utas, M., 2012. *Electoral Violence in Africa*. Nordiska Afrikainstitutet.

⁴³ Matlosa, K., 2020. Pondering the culture of violence in Lesotho: a case for demilitarisation. *Journal of Contemporary African Studies*, 38(3), pp.381-398.

⁴⁴ Medearis, J., 2013. Joseph Schumpeter's Two Theories of Democracy. In *Joseph Schumpeter's Two Theories of Democracy*. Harvard University Press.

⁴⁵ Ake, C., 1991. Rethinking African Democracy. *Journal of Democracy*, 2(1), pp.32-44.

The traditional emphasis on holding elections as the core of democracy has led to the holding of elections under violent conditions, resulting in conflictual regime changes, instability, and, in some cases, failed or blocked democratic transitions and collapsed states. Schumpeterian democracy, defined as multiparty political competition for the election of political leaders by citizens, has become the prevailing practice of democracy.⁴⁶ However, it has become problematic in Zimbabwe. The focus on elections, multi-partyism, and regime change, as suggested by voluntarist minimalist definitions of democratic transition,⁴⁷ without addressing political polarization, building inclusive institutions to foster dialogue, and resolving the historical legacy of colonialism, continues to present significant challenges to peaceful democratic transitions and political stability in Zimbabwe.

Pluralist democracy relies on inclusive dialogue and consensus among conflicting parties, fostering national political stability and nationhood, enabling the exercise of political rights and citizenship for all who belong to it.⁴⁸ This view of democracy is particularly relevant in African states, which often exhibit political and socio-economic fragility, ethnic and racial divisions, class cleavages, and conflation of aggravated racial, ethnic, and partisan polarization, all contributing to violent conflicts.

While liberal democratic scholars primarily focus on the challenges to democratic values, norms, and procedures, as well as threats to civil and political rights as the root causes of the Zimbabwe conflict, Africanist scholars such as Sam Moyo, Paris Yeros, and Wilbert Sadomba⁴⁹ present a thesis of revolutionary agency by the Zimbabwe government in the land redistribution process. They argue that the Fast Track Land Reform (FTLR) challenged hegemonic Western neo-liberalism, which had constrained the government from meeting the broad-based national aspirations by providing much-needed access to land.⁵⁰ Furthermore, they criticize Western interventionist policies in Zimbabwe, which they believe disrupted the revolutionary moment in the country. However, while ZANU PF may have attempted to address historical structural injustices, its policies were neither revolutionary nor democratic. Instead, the ruling party exploited these legitimate national causes for political capital and mobilization, consolidating

⁴⁶ Schumpeter, J.A., 2013. *Capitalism, Socialism and Democracy*. London, Routledge.

⁴⁷ Schumpeter, J.A., 2013. *Capitalism, Socialism and Democracy*. London, Routledge.

⁴⁸ Rustow, D.A., 1999. 2. Transitions to Democracy: Toward a Dynamic Model. In *Transitions to democracy*, Columbia, Columbia University Press, pp. 14-41.

⁴⁹ Sadomba, Z.W., 2011. *War Veterans in Zimbabwe's Revolution: Challenging Neo-colonialism and Settler and International Capital*. Boydell & Brewer Ltd.

⁵⁰ Sadomba, Z.W., 2011. *War Veterans in Zimbabwe's Revolution: Challenging Neo-colonialism and Settler and International Capital*. Boydell & Brewer Ltd.



its rural power base while alienating and polarizing the urban social base, which became the core support for the MDC formations. This created a deeply polarized political dynamic.

Fundamentally, all three camps of the conflict protagonists took their positions seriously, believing they were acting in the best interest of their nation. For ZANU PF, this meant defending the gains of the liberation struggle, as expressed in research on patriotic history in Zimbabwe, and weaponizing it as a violent partisan ideology.⁵¹ For the MDC formations, this meant removing ZANU PF from power through elections or mass mobilization. Beyond the liberal democratic issues highlighted by scholars like Saunders⁵², Sithole,⁵³ Sue,⁵⁴ Hlongwana⁵⁵, Sithole,⁵⁶ Melber,⁵⁷ the Zimbabwe conflict was rooted in historical structural contradictions that affected political stability and the democratization process.

The erosion of constitutionalism, the rule of law, and democratic governance posed extraordinary challenges for regional mediation and the pursuit of historical emancipation in Zimbabwe.⁵⁸ ZANU PF failed to transform into a democratic party and instead morphed into an authoritarian dominant party-state under the guise of a multiparty political system.⁵⁹ ZANU PF's rule exhibited characteristics of hybrid regimes⁶⁰ and effectively practiced competitive

⁵¹ Muwati, I., Mheta, G. and Gambahaya, Z. 2010. Contesting Patriotic History: Zimbabwe's War History and the Democratization Agenda, *South African Journal of African Languages*, 30(2) pp.170-179.

⁵² Saunders, R.2011. Zimbabwe-Liberation Nationalism-Old Born Again, *Review of African Political Economy*, Volume 38, Issue 127, pp. 123-134.

⁵³ Makumbe, J. 2006. Electoral Politics in Zimbabwe: Authoritarianism versus the People, *Africa Development*, Vol. 31 No. 3, <https://www.ajol.info/index.php/ad/article/view/135764>.

⁵⁴ Sue, O. 2011. Zimbabwe and Political Transition. Strategic Update (March 2011). LSE IDEAS, London School of Economics and Political Science, London, UK, Zimbabwe and Political Transition - LSE Research Online, Viewed 12 December 2020.

⁵⁵ Hlongwana, J. 2018. A Celebrated Coup that Appears Like Not a Coup? The Fall of Robert Mugabe in the Context of Zimbabwean and Regional Politics, in M. Mawere, N Marongwe and F.P.T. Duri, *The End of an Era? Robert Mugabe and a Conflicting Legacy*, Bamenda, Langaa Research and Publishing CIG.

⁵⁶ Sithole, M., and Makumbe, J. 1997. Elections in Zimbabwe: The ZANU (PF) Hegemony and its Incipient Decline,. *African Journal of Political Science/Revue Africaine de Science Politique*, pp. 122-139.

⁵⁷ Melber, H. (ed). 2003. Limits to liberation in Southern Africa: The Unfinished Business of Democratic Consolidation, Cape Town, HSRC Press.

⁵⁸ Roger. S. 2014. Threats to Constitutionalism by Liberation Movements in Southern Africa, in: *Africa Spectrum*, 49, 1, pp. 79-99.

⁵⁹ Sithole, M., and Makumbe, J. 1997. Elections in Zimbabwe: The ZANU (PF) Hegemony and its Incipient Decline,. *African Journal of Political Science/Revue Africaine de Science Politique*, pp. 122-139.

⁶⁰ Wigell, M. 2008. Mapping 'Hybrid Regimes': Regime Types and Concepts in Comparative Politics, *Democratization*, Volume 15, Issue 2, pp. 230-250.



authoritarianism,⁶¹ similar to other former liberation parties and governments.⁶² The intensified efforts to resolve historical injustices through land reform, coupled with anti-ZANU PF reactions from Western governments to protect their interests, further compounded the conflict, introducing overlapping domestic and international contradictions. As suggested by Yeros and Moyo,⁶³ ZANU PF led Zimbabwe through a "nationalist"⁶⁴ revolutionary situation, driven by radical agrarian reform and challenging the global West and neo-liberalism. The Fast Track Land Reform (FTLR), although widely criticized for violations of human and property rights, was viewed by Africanist scholars and ZANU PF as a democratic revolutionary moment extensively supported by marginalized Africans.⁶⁵ However, the Western international community responded with punitive economic sanctions that devastated the Zimbabwean economy within a decade, leading to a socio-economic implosion by 2008.⁶⁶

Mamdani⁶⁷ and Mkandawire⁶⁸ correctly observed that the Zimbabwe conflict was overloaded with both liberal democratic issues and complex historical challenges, which hindered peaceful democratic transition and political stability.⁶⁹ They both identify the conflation of international Western interests and coercive diplomacy, particularly since 2002, as factors that compounded the crisis and complicated conflict resolution efforts,⁷⁰ as evidenced by the continuation of disputed elections. Importantly, the Zimbabwe conflict escalated despite earnest efforts at bilateral and party-led mediation, including the often-criticized quiet diplomacy led by President Mbeki between 2000 and 2007.⁷¹

⁶¹ Levitsky, S. and Way, L.A. 2010. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*, Cambridge, Cambridge University Press.

⁶² Melber, H. (ed). 2003. *Limits to liberation in Southern Africa: The Unfinished Business of Democratic Consolidation*, Cape Town, HSRC Press.

⁶³ Moyo, S. and Yeros, P. 2012. *Land Occupations and Land Reform in Zimbabwe: Toward the National Democratic Revolution*, London, Routledge.

⁶⁴ Moyo, S. and Yeros, P. 2007. *The Zimbabwe Question and the Two Lefts, Historical Materialism*, https://brill.com/view/journals/hima/15/3/article-p171_9.xml.

⁶⁵ Moyo, S. and Yeros, P. 2012. *Land Occupations and Land Reform in Zimbabwe: Toward the National Democratic Revolution*, London, Routledge.

⁶⁶ Gono, G. 2008. *Zimbabwe's Casino Economy, Extra-ordinary Measures for Extra-Ordinary Challenges*, Harare, ZPH.

⁶⁷ Mamdani, M. 2018. *Lessons of Zimbabwe*, *London Review of Books*, Vol. 30 No. 23, <https://www.lrb.co.uk/the-paper/v30/n23>, Viewed 10 January 2022.

⁶⁸ Mkandawire, T., 2020. Zimbabwe's transition overload: An Interpretation. *Journal of Contemporary African Studies*, 38(1), pp.18-38.

⁶⁹ Mkandawire, T., 2020. Zimbabwe's transition overload: An Interpretation. *Journal of Contemporary African Studies*, 38(1), pp.18-38.

⁷⁰ Mkandawire, T., 2020. Zimbabwe's transition overload: An Interpretation. *Journal of Contemporary African Studies*, 38(1), pp.18-38.

⁷¹ Moore, D. 2010. A Decade of Disquieting Diplomacy: South Africa, Zimbabwe and the Ideology of the National Democratic Revolution, 1999–2009. *History Compass*, 8(8), pp. 752-767.



By the time of the SADC mediation in 2007 and 2008, Zimbabwe was on the brink of a possible civil war, given the magnitude of political violence, societal polarization, and the complete collapse of government and constitutionalism in 2008.

1.1.1 The SADC Mediation and Intrastate Democratization Conflict in Zimbabwe

The SADC appointed Mbeki, then President of South Africa, as the mediator and "facilitator" of dialogue amongst the Zimbabwe conflict parties.⁷² After Mbeki was removed as President of South Africa, SADC mandated his successors, Presidents Motlanthe and later Zuma, as mediators and facilitators of the Zimbabwe dialogue, to find a regional solution to the escalating crisis amidst Western condemnation and isolation of the government of Zimbabwe.⁷³ The African Union, SADC, and African leaders became more vocal in calling for a negotiated solution to end the escalating conflict, deteriorating socio-economic and political conditions, while assertively criticizing the role of the West in the conflict.⁷⁴

The SADC Extraordinary summit held in Dar es Salaam, Tanzania, in March 2007, asked President Thabo Mbeki to mediate talks between the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two factions of the opposition Movement for Democratic Change (MDC),⁷⁵ a position which was again adopted at the 2008 SADC Summit, culminating in the SADC mediation in Zimbabwe.⁷⁶ Although mediation had been used in ending civil wars like in Burundi⁷⁷ and the DRC,⁷⁸ since 2007, African regional organizations became more

⁷² Communiqué of the Extra-Ordinary SADC Summit of Heads of State and Government, 28th - 29th March 2007, Dar-es-Salaam, Department of International Relations and Cooperation, Republic of South Africa, <http://www.dirco.gov.za/docs/2007/sadc0330.htm>, Viewed 20 August 2021.

⁷³ Mutambara, A.G. 2020. The Path to Power: In Search of The Elusive Zimbabwean Dream, Johannesburg, Staging Post.

⁷⁴ The South African Led Mediation on Zimbabwe: Can it Help Break the Deadlock? Solidarity Peace Trust, <http://solidaritypeacetrust.org/741/>, Viewed 10 January 2021.

⁷⁵ Communiqué 2007 Extra-Ordinary SADC Summit of Heads of State and Government, 28th - 29th March 2007, Dar-es-Salaam, Department of International Relations and Cooperation, South Africa, <http://www.dirco.gov.za/docs/2007/sadc>, Viewed 20 November 2021.

⁷⁶ Communiqué of 2008 First Extra-Ordinary SADC Summit of Heads of State and Government, 13 April 2008, Lusaka, Zambia, <http://www.dirco.gov.za/docs/2008/sadc0414.html>, Viewed 20 November 2021.

⁷⁷ Renda, E., 2000. Mediation efforts in Burundi. Conflict Trends, (3), pp. 32-39.

⁷⁸ Miti, K. 2012. South Africa and conflict resolution in Africa: from Mandela to Zuma. Southern African Peace and Security Studies, 1(1), pp. 26-42.



proactively engaged in resolving violent election deadlocks, for example, Kenya in 2007,⁷⁹ Zimbabwe in 2007 and 2008, Madagascar,⁸⁰ and Lesotho,⁸¹ amongst other cases.

In spite of growing research in mediation, there is not much research on African regional mediation in general, and the role, outcomes, and implications of the SADC mediation as Pan African regional diplomacy in particular. The marginal representation of Africa and Africans in IR, given the dominance of epistemic paradigms from the Global North, overlooks the diversity of mediation approaches. It also overlooks the Afro-centric approaches combining liberal democratic norms with resonant African traditional practices into modern mediation and diplomatic practices in addressing conflicts within subregions, historical and contextual experiences informing and influencing the adoption of such norms.

Mediation existed for many generations as informal and traditionally driven practices of addressing conflicts in African societies. African-led mediation was widely embraced on the continent since the end of the Cold War to end intrastate conflicts and later, to foster democracy. African regional organizations such as the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), and the African Union (AU) became more prominent agents of democratization.⁸² These organizations promulgated institutions and norms of democratic rule, the rule of law, and constitutionalism, at the same time taking on challenging roles such as peacekeeping operations, democracy promotion, and facilitating democratic transition and consolidation.⁸³ However, critics suggest that these organizations turned into clubs of autocrats, playing the role of abetting authoritarian survival.⁸⁴ Much of the literature that recognizes the democratization role of regional organizations tends to exclusively take a liberal institutional perspective,⁸⁵ which is limited in shedding insights into the role, outcomes, and implications of such organizations as the SADC.

⁷⁹ Juma, M. K. 2009. African Mediation of the Kenyan Post-2007 Election Crisis. *Journal of Contemporary African Studies*, 27(3), pp. 407-430.

⁸⁰ Deleglise, D., 2021. Trends in SADC Mediation and Long-term Conflict Transformation, in T. McNamee, T. Muyangwa and Monde (Eds), *The State of Peacebuilding in Africa. Lessons Learned for Policymakers and Practitioners*, Cham, Palgrave Macmillan, pp. 215–233.

⁸¹ Deleglise, D., 2021. Trends in SADC Mediation and Long-term Conflict Transformation, in T. McNamee, T. Muyangwa and Monde (Eds), *The State of Peacebuilding in Africa. Lessons Learned for Policymakers and Practitioners*, Cham, Palgrave Macmillan, pp. 215–233.

⁸² Gandois, H. 2007. The Regional Organisation as an Agent of Democratisation? The African Experience. *St Antony's International Review*, 2(2), pp. 80-97.

⁸³ Gandois, H. 2007. The Regional Organisation as an Agent of Democratisation? The African Experience. *St Antony's International Review*, 2(2), pp. 80-97.

⁸⁴ Debre, M.J. 2022. Clubs of Autocrats: Regional Organizations and Authoritarian Survival. *Rev Int Organ* 17, pp. 485–511 .

⁸⁵ Gandois, H. 2007. The Regional Organisation as an Agent of Democratisation? The African Experience. *St Antony's International Review*, 2(2), pp. 80-97.



Since the late 1990s, the AU and its sub-regional organizations embarked on continental and regional reforms to bolster their agency in stemming conflict through the work of Africans themselves.⁸⁶ From the first cases of African-driven mediation post-1990, such as the Arusha Peace Process for Burundi and the Inter-Congolese Dialogue (ICD) for the Democratic Republic of the Congo (DRC), African-led mediation has continued to evolve with key lessons on what role mediation could play, its possible outcomes, and their implications, although resultant debates continue to be inconclusive.

Debates on issues of mediation cover a broad range of themes and issues such as the choice of mediator, who to include as mediators or facilitators, the role and impact of regional organizations, regional and international dynamics of conflict under mediation, the importance and challenges of addressing the root causes of the conflict during the mediation.⁸⁷ However, there is not enough research on specific cases, for example, the role, outcomes, and implications of the SADC mediation in Zimbabwe.

The efficacy, processes, outcomes, and implications of the SADC mediation in Zimbabwe continue to be contested, despite achieving a political settlement in 2008.⁸⁸ Proponents of the liberal democratic school of thought, including influential liberal global media⁸⁹ and academics such as Raftopoulos,⁹⁰ Deleglise,⁹¹ McKinley,⁹² Mhango,⁹³ and Aeby,⁹⁴ argue that the SADC mediation was destined to fail. They criticize the SADC mediation for exaggerating the case for liberal democratic reforms while neglecting the historical context of the conflict and the

⁸⁶ Gounden, V., 2017. International Mediation in Africa: Experiences and Challenges. *International Negotiation*, 22(3), 402-430.

⁸⁷ Gounden, V., 2017. International Mediation in Africa: Experiences and Challenges. *International Negotiation*, 22(3), 402-430.

⁸⁸ Mutisi, M., 2011. Beyond the signature: Appraisal of the Zimbabwe global political agreement (GPA) and Implications for Intervention, Accord, Policy and Practice Brief, Issue 004, <https://www.africaportal.org/>, Viewed 20 March 2022.

⁸⁹ Mamdani, M., 2009. Lessons of Zimbabwe: Mugabe in Context, *London Review of Books*, Vol. 30, No. 23. <https://www.lrb.co.uk/the-paper/v30/n23/mahmood-mamdani/lessons-of-zimbabwe>, Viewed 30 March 2022.

⁹⁰ Raftopoulos, B. 2012. The Global Political Agreement as a 'Passive Revolution': Notes on Contemporary Politics in Zimbabwe, In S. Chan and R. Primaroc, *Zimbabwe since the Unity Government*, London, Routledge.

⁹¹ Deleglise, D., 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In: T. McNamee and M. Muyangwa (eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham.

⁹² McKinley, D.T. 2006. Commodifying oppression: South African foreign policy towards Zimbabwe under Mbeki. In: Southall, R. ed. *South Africa's role in conflict resolution and peace-making in Africa*. Cape Town, Human Sciences Research Council Press. pp. 85–104.

⁹³ Mhango, G.A., 2012. Is Quiet Diplomacy in Consonance with Meaningful Peace-making in SADC? Lessons from Zimbabwe. *Southern African Peace and Security Studies*, 1(1), pp.14-25.

⁹⁴ Aeby, M., 2017. Stability and sovereignty at the expense of democracy? The SADC mediation mandate for Zimbabwe, 2007–2013. *African Security*, 10(3-4), pp.272-291.



mediation process, thus downplaying the significance of its role and outcomes. Furthermore, they underestimate the impact and implications of the SADC-mediated dialogue between the conflicting parties.

On the other hand, proponents of the SADC mediation, such as Landsberg,⁹⁵ Mhaka, Rapanyane, Maphoto,⁹⁶ Akokpario, and Nyonio,⁹⁷ adopt a pan-African perspective that acknowledges the historical complexities of the Zimbabwean conflict, which also influenced the role of SADC mediation. However, they fall short of thoroughly and boldly analyzing its outcomes and implications. The limited support for SADC mediation in Zimbabwe may be attributed to the widespread criticism directed at key players like Mbeki and the process they led, particularly from the Global North, subtly undermining their efforts. For instance, the criticism faced by Mamdani following his publication of "Lessons of Zimbabwe: Mugabe in Context" highlights the intellectual and epistemic courage required to associate oneself with the views of such statesmen and their ideas,⁹⁸ including the SADC mediation.

While there is a growing body of research on SADC mediation and democratic transition in Zimbabwe, some studies fail to contextualize the SADC mediation within the historical framework of Pan African regional diplomacy. Pan African regional diplomacy stands apart from other diplomatic approaches by emphasizing cooperative collective measures to address conflicts, promote political stability, and build democracy. This perspective contrasts with coercive and aggressive diplomacy often associated with regime change, as observed in Western and Eurocentric approaches to democracy promotion.⁹⁹ Western diplomacy, which played a significant role in externally engineering the removal of authoritarian regimes through

⁹⁵ Landsberg, C., 2016. African solutions for African problems: quiet diplomacy and South Africa's diplomatic strategy towards Zimbabwe. *Journal for Contemporary History*, 41(1), pp.126-148.

⁹⁶ Maphaka, D., Rapanyane, M.B. and Maphoto, T.E., 2020. An Afro-centric analysis of South Africa's foreign policy on the Southern African Development Community (SADC): case of Zimbabwe, 1999-2018. *Journal of African Union Studies*, 9(1), pp.123-138.

⁹⁷ Akokpario, J. and Nyonio, T., 2009. Reassessing the Politics of Neo-colonialism and African Solidarity: Contextualising Thabo Mbeki's Quiet-Diplomacy on Zimbabwe. *Afrika Journal of Politics, Economics and Society*, 1(1), pp.117-133.

⁹⁸ Jacobs, S. and Mundy, J. (Eds). 2009. *Concerned African Scholars: Reflections on Mahmood Mamdani's 'Lessons of Zimbabwe'*, London Review of Books, <https://www.lrb.co.uk/the-paper/v30/n23/mahmood-mamdani/lessons-of-zimbabwe>

⁹⁹ Downes, A.B. and Monten, J. 2013. Forced to Be Free? Why Foreign-Imposed Regime Change Rarely Leads to Democratization, *International Security*, Vol. 37, No. 4, pp. 90-131



violent regime change, for example, Iraq,¹⁰⁰ Afghanistan, Libya,¹⁰¹ and Yemen,¹⁰² has contributed to the emergence of a lopsided collective agency and an asymmetrical liberal global order.¹⁰³ As argued by many African scholars, such interventions have not successfully promoted democracy but instead led to extensive political conflict and instability.

African diplomacy, despite its significance and the efforts of African states to integrate traditional practices with contemporary norms, has been largely overlooked in theoretical and policy discussions. African states exhibit a commitment to norms of national sovereignty, non-intervention, and inclusive dialogue, which are reflected in their independent diplomatic approaches. Regional mediation, characterized by collective diplomacy and a multilateral approach, challenges the asymmetrical international system dominated by the Global North¹⁰⁴ and offers distinct approaches to addressing domestic conflicts through homegrown solutions and agency.

Mediation has a long history as a form of Pan African regional diplomacy, playing important roles in both ancient¹⁰⁵ and modern African societies. African regional organizations have institutionalized mediation and dialogue as mechanisms to address pervasive conflicts, facilitate peace, political stability, and democracy within the region.¹⁰⁶ This process has elevated regional organizations to key players in promoting peaceful diplomatic measures and facilitating democratic transitions in African states, making regional mediation a norm and preferred strategy. Regional organizations such as SADC, ECOWAS, IGAD - sub-regional entities of the African Union (AU)¹⁰⁷ have become central in resolving conflicts among member states. African mediation is characterized by facilitated dialogues led by experienced statesmen, collective decision-making, negotiations, and compromises as peaceful means to

¹⁰⁰ Danju, I., Maasoglu, Y., and Maasoglu, N. 2013. The reasons behind US invasion of Iraq, *Procedia-Social and Behavioral Sciences*, 81, pp. 682-690.

¹⁰¹ Igwe, S. C., Abdullah, M. A. I. L., Kirmanj, S., Fage, K. S., & Bello, I. 2017. An Assessment of the Motivations for the 2011 Nato intervention in Libya and Its Implications for Africa. *Canadian Social Science*, 13(4), 1-12.

¹⁰² Copson, R.W. 2007. *The United States in Africa: Bush Policy and Beyond*, London, Zed Books

¹⁰³ Spies, Y.K., 2016. Africa and the Idea of International Society, *Journal for Contemporary History* 41(1) / *Joernaal vir Eietydse Geskiedenis* 41(1), pp. 38-56.

¹⁰⁴ Spies, Y.K., 2016. Africa and the Idea of International Society, *Journal for Contemporary History* 41(1) / *Joernaal vir Eietydse Geskiedenis* 41(1), pp. 38-56.

¹⁰⁵ Nanjira, D.V., 2010. *African Foreign Policy and Diplomacy: from Antiquity to the 21st Century*, Oxford, Praeger.

¹⁰⁶ Boutros-Ghali, B. 1992. An Agenda for Peace: Preventive Diplomacy, Peace-making and Peace-keeping, *International Relations*, Volume: 11, Issue: 3, pp. 201-218.

¹⁰⁷ African Union. 2016. African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020, Lusaka Master Roadmap 2016, dppa.dfs.un.org.



resolve conflicts, with a strong emphasis on non-forceful approaches and limited use of sanctions and military intervention only in extreme cases.

Given the extensive role of sub-regional organizations in Africa, there is a need for a better understanding of their role, outcomes, and implications, which is the focus of this study on SADC. The United Nations' Agenda for Peace recognizes regional organizations as crucial actors in conflict resolution.¹⁰⁸ The AU Charter¹⁰⁹ and regional treaties highlight commitments to end conflicts, promote peace, political stability, and democracy. The three African sub-regional organizations continue to play critical roles in advancing these goals through mediation in West, East, and Southern Africa.¹¹⁰ African regional organizations, both at the continental and sub-regional levels, continue to evolve and institutionalize their capacity to address pervasive conflicts on the continent and strengthen democratic transitions and consolidation.

Looking through the lens of African diplomacy, Africans are recognized as diplomatic and international relations actors. Furthermore, this perspective acknowledges the important agency and historical development of regional diplomatic approaches within the SADC. These approaches are rooted in anti-colonial alliances among African nationalist movements and later liberation party governments. The influence of liberation party governments in Tanzania, South Africa, Mozambique, Namibia, Zimbabwe, and others played a significant role in shaping the course and texture of SADC diplomacy. As a result, these governments identified with and trusted SADC processes and internal mechanisms.

Beyond the shared experiences of colonial subjugation and the struggle for liberation, these countries provided mutual support in the fight for independence and shared political and socio-economic solidarity. They identified with influential figures such as Nyerere, Mandela, Mugabe, and others, whose ideas and symbolic influence continued to inspire diplomatic and political endeavors in the sub-region. This led to a deep respect for elder statesmen, national

¹⁰⁸ Kimenyi, M.S. 2015. An African Union for an Emerging Continent: Reforms to Increase Effectiveness, The Brookings Africa Growth Initiative, <https://africastudygroup.ca/wp-content/uploads/2015/01/Brookings-foresight-africa-full-report-FINAL.pdf#page=30>, Viewed 20 December 2020.

¹⁰⁹ Glen, P.J. 2012, Institutionalizing Democracy in Africa: A Comment on the African Charter on Democracy, Elections and Governance, African Journal of Legal Studies, https://brill.com/view/journals/ajls/5/2/article-p119_2.xml.

¹¹⁰ Vines, A. 2013. A Decade of African Peace and Security Architecture, International Affairs, International Affairs, Volume 89, Issue 1, pp. 89–109, <https://doi.org/10.1111/1468-2346.12006>



sovereignty, and self-determination, which became important norms in African diplomatic relations and a source of diplomatic leverage during mediation.

However, some have criticized the comradely relations, emphasis on national sovereignty,¹¹¹ and historical solidarity among former liberation parties within the SADC.¹¹² They argue that these factors have hindered the regional promotion of liberal democratic norms, as illiberal liberation party governments tend to unite in resisting external and domestic pressures for democratization.

Historical anti-colonial alliances, such as the Frontline states and the Non-aligned Movement, provided the ideological, solidarity, and political impetus for fostering cooperative and collaborative relations among post-colonial states in the SADC. These alliances also granted political leverage based on long-standing close relations and ties within the SADC subregion. This leverage has enabled former liberation leaders to successfully mediate and reconcile domestic rivalries between conflicting parties, promoting dialogue and political settlements.

At the continental level, the shared brutalities of dehumanizing historical experiences of slavery and colonialism, coupled with the desire to advance shared continental, regional, and national aspirations through the agency of Africans, became the driving force shaping mediation as African regional diplomacy to end conflicts. This motivation also led to the formation and continuous reformation of regional organizations, aligning their roles and strategies with contemporary and historical challenges in advancing post-colonial development, political stability, and democracy through homegrown solutions.

The SADC mediation was launched in the midst of two polarized approaches to ending the Zimbabwe conflict. The global Western international community, led by Britain, the European Union (EU), the Commonwealth, and the USA, along with support from the domestic opposition and civil society in Zimbabwe, advocated for coercive diplomacy. This approach, typical of Western democracy promotion, included the option of external military intervention to remove ZANU PF in line with a regime change agenda.¹¹³

¹¹¹ Sirota, B., 2004. Sovereignty and the Southern African Development Community. *Chi. J. Int'l L.*, 5, pp.343.

¹¹² Aeby, M., 2017. Stability and Sovereignty at the Expense of Democracy? The SADC Mediation Mandate for Zimbabwe, 2007–2013. *African Security*, 10(3-4), pp.272-291.

¹¹³ Chigora, P. and Ziso, E., 2011. Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium. *Alternatives: Turkish Journal of International Relations*, 10(2&3), pp.105-121.



According to Jakobsen, coercive diplomacy (CD) involves the use of military threats and/or limited force in support of diplomatic negotiations, persuasion, rewards, and assurances.¹¹⁴ However, since the war on terror, the conflation of CD with humanitarianism and democracy promotion as policy goals by the US and its Western allies has resulted in military intervention, which has effectively undermined democracy and political stability in targeted countries and their subregions, as seen in the invasion of Libya.¹¹⁵

Coercive diplomacy was the preferred policy to address the Zimbabwe conflict by Western powers. A combination of Western sanctions, funding toward domestic NGOs, international condemnation, and the real threat of military intervention, ostensibly to protect democracy, human rights, and humanitarianism, constituted complex Western strategies for resolving the Zimbabwe conflict.¹¹⁶ As revealed by Mbeki, former British Prime Minister Tony Blair made efforts to rally Western powers and African countries for a military response to the Zimbabwe crisis.¹¹⁷ These interventions hardened the ZANU PF posture and, in some ways, undermined regional mediation and the possibility of a regional solution to the Zimbabwe crisis.

The SADC mediation focused on regional diplomacy, mediation, and dialogue to facilitate a political settlement between ZANU PF and the MDC formations. Upon assuming his role as mediator, Mbeki reflected the posture of the SADC, stating, "As a region [SADC], we are quiet convinced that the only way to solve the problem is the direction we have taken [dialogue and mediation]."¹¹⁸ Despite achieving important milestones through the SADC mediation, scholarly disagreements persist regarding its role, outcomes, and implications.

Scholars analyzing the SADC mediation and the Zimbabwe conflict describe the role of the SADC mediation as crisis and conflict management,¹¹⁹ as well as coordination of SADC

¹¹⁴ Jakobsen, P.V. 2016. Coercive Diplomacy, In C.M. Constantinou, P. Kerr, and P. Sharp., (Eds.) The Sage Handbook of Diplomacy, London, Sage, pg.476-488

¹¹⁵ Jentleson, B.W. and Whytock, C.A., 2005. Who "Won" Libya? The Force-Diplomacy Debate and its Implications for Theory and Policy. *International Security*, 30(3), pp.47-86.

¹¹⁶ Chigora, P. and Ziso, E., 2011. Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium. *Alternatives: Turkish Journal of International Relations*, 10(2&3), pp.105-121.

¹¹⁷ The Mail and Guardian (SA) Mbeki: Blair Plotted Military Intervention to Remove Mugabe, 23 November 2018, <https://mg.co.za/article/2013-11-28>, Viewed 20 December 2021.

¹¹⁸ Reuters, Mbeki Confident Mediation Can Help Zimbabwe Crisis, 31 March 2007 <https://www.reuters.com/article/us-zimbabwe-mbeki-idUSL3166458520070331>, Viewed 30 August 2021.

¹¹⁹ Cawthra, G.2010. The Role of SADC in Managing Political Crisis and Conflict: The Cases of Madagascar and Zimbabwe, Maputo, FES.



responses,¹²⁰ among other perspectives. Some academics argue that the SADC mediation was a complete failure,¹²¹ highlighting that SADC's non-interventionist posture and commitment to sovereign equality among states contradict the promotion of liberal democratic norms,¹²² thus undermining SADC's efforts to foster democracy and prioritizing stability and sovereignty instead.¹²³

Studies on the SADC mediation often focus on the modalities and technicalities of mediation influenced by liberal institutionalism, which emphasizes democratic norms and values and aligns with the dominance of liberal democratic literature.¹²⁴ The international pressure and advocacy for liberal reforms in Zimbabwe, driven by Western coercive diplomacy or a regime change agenda, invoked liberal democratic norms and values at the epistemic, academic, and policy levels.¹²⁵ This stance mirrored the domestically polarized partisan contestation between ZANU PF and the MDC formations on one side and Africa and the Western world on the other,¹²⁶ without necessarily offering a solution to the Zimbabwe crisis.

Various concepts of mediation are informed by theories of international relations such as realism, constructivism, and liberal institutionalism. This research situates regional mediation within the theories of liberal institutionalism and constructivism in international relations. Liberal institutionalism focuses on the cooperative behavior of states based on liberal democratic norms and values, including democracy and elections.¹²⁷ Since the third wave of

¹²⁰ Mathye, N.M., 2013. Has South Africa Managed to Coordinate SADC's Response to Zimbabwe? Policy Brief, Briefing No. 95, Africa Institute of South Africa, <http://www.ai.org.za/wp-content/uploads/downloads/2013/11/>, Viewed August 2021.

¹²¹ Deleglise, D. 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In T. McNamee and M. Muyangwa (Eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham. https://doi.org/10.1007/978-3-030-46636-7_13.

¹²² Mashimbye, R. 2020. *The Tension between Non-Intervention and Non-Indifference in the SADC Mediation in Zimbabwe, 2007-2013: An Analysis*, PhD Dissertation, Department of Politics, University of Pretoria, <http://hdl.handle.net/2263/78347>.

¹²³ Aeby, M. 2017. Stability and Sovereignty at the Expense of Democracy? The SADC Mediation Mandate for Zimbabwe, 2007–2013, *African Security*, Volume 10, Issue 3-4: Unpacking the Mediation Mandate, pp. 272-291.

¹²⁴ Nathan, L., 2016, April. How and Why African Mediators Compromise Democracy. In *Conference on the Ethics of Negotiation in Armed Conflicts*, Pennsylvania, United States of America.

¹²⁵ Chigora, P. and Ziso, E. 2011. Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium, *Alternatives: Turkish Journal of International Relations*, Volume 10, Issue 2&3, pp: 105 – 121.

¹²⁶ Kagwanja, P. 2007. Why Mugabe Attracts Africans and Repels the West: as Africa Applauds its Oldest Ruling Freedom Fighter, Zimbabwe Teeters on Economic Ruin. *Christian Science Monitor*, 17 September 2007, HSRC, <http://hdl.handle.net/20.500.11910/5867>.

¹²⁷ Robert, O. and Keohane, N.J.S., 1997. *Power and interdependence*. London, Longman Publishing.



democratization and widespread democratic transitions in the 1990s, liberal institutionalism has dominated studies on democracy and democratic transition in Africa.¹²⁸

The different theories and concepts of mediation inform the roles, processes, strategies, outcomes, and implications of mediation for conflict resolution.¹²⁹ Liberal institutionalists propose a universalist framework for the role of regional organizations, their outcomes, and implications, as defined within liberal institutionalism. This framework suggests that regional organizations extend liberal democratic norms and values, and their impact should be reflected in outcomes that uphold democracy, elections, the rule of law, civil liberties, and property rights, among other factors.

In practical terms, the nurturing of conflict, its context, and dynamics has far-reaching implications for the processes and outcomes of mediation and regionally facilitated democratic transition. Factors such as ideas, agency, mandate, and historical influences significantly impact the role, outcomes, and implications of regional mediation. Outcome-based perspectives of mediation suggest a range of possible outcomes, including peace-making, the termination of violence,¹³⁰ voluntary cooperation and acceptance of the mediation process and mediator,¹³¹ and voluntary participation in dialogue and negotiations leading to a political settlement.¹³² However, in reality, numerous factors influence regional mediation and its outcomes.

In conflicts related to democratization, mediation becomes complex due to claims of legitimacy stemming from electoral outcomes, which are often central to the conflict disputes, alongside historical factors shaping the conflict. Consequently, mediation becomes an unpredictable and challenging process that requires a certain level of trust and confidence from all involved parties. While liberal institutionalism implies expectations of normative liberal democratic outcomes, the ultimate outcome of mediation is usually a compromise political settlement. The

¹²⁸ Huntington, S.P., 1993. *The third wave: Democratization in the late Twentieth Century*, Oklahoma, University of Oklahoma press.

¹²⁹ Bercovitch, J. 1992. *The Structure and Diversity of Mediation in International Relations*. In: Bercovitch, J., Rubin, J.Z. (eds) *Mediation in International Relations*. Palgrave Macmillan, London. https://doi.org/10.1057/9780230374690_1.

¹³⁰ Bercovitch, J. 1992. *The Structure and Diversity of Mediation in International Relations*. In: Bercovitch, J., Rubin, J.Z. (eds) *Mediation in International Relations*. Palgrave Macmillan, London. https://doi.org/10.1057/9780230374690_1.

¹³¹ Bercovitch, J. 1992. *The Structure and Diversity of Mediation in International Relations*. In: Bercovitch, J., Rubin, J.Z. (eds) *Mediation in International Relations*. Palgrave Macmillan, London. https://doi.org/10.1057/9780230374690_1.

¹³² Mapendere, J. 2005. *Track One and a Half Diplomacy and the Complementarity of Tracks*. *Culture of Peace Online Journal* 2 (1), pp. 66–81.



fundamental question is whether any outcome creates conducive conditions for political stability, inclusive nationhood, and civil and political liberties that support peaceful, pluralistic, and legitimate democratic participation while addressing long-term structural contradictions to restore political stability.

Process-based approaches to mediation highlight the need to investigate and define contentious problems in order to craft the most suitable strategies based on the nature, character, and dynamics of the conflict.¹³³ For mediators, key strategies revolve around facilitating dialogue and employing communicative approaches, as well as proposing and recommending solutions that are mutually acceptable to the parties involved.¹³⁴

Mediation plays an intermediary role characterized by guided negotiations and bargaining facilitated by a third party, aiming to reduce disruptive conflict behavior and achieve a compromise settlement on the issues at stake between the conflicting parties.¹³⁵ The adopted process significantly influences the types of outcomes realized through mediation. In intrastate democratization conflicts, such outcomes should transform the behavior of the conflict parties and the political system from violent rivalry to stable, legitimate, pluralistic, and broadly representative democratic contestation. While the realization of political and civil liberties, which are often areas of conflict in Zimbabwe and other intrastate democratization conflicts, is crucial, it should also be based on the resolution of significant structural contradictions.

The process perspective of mediation suggests that the mediator should be neutral, impartial, and acceptable to the conflict parties. They should not have the power to impose themselves or decisions on the parties, but rather assist them in voluntarily reaching compromises or mutually agreed settlements.¹³⁶ Neutrality and the quality of the mediator are considered important factors in the role of the mediator, the process, and its outcomes. However, the credibility of the mediator is more important than their neutrality. In reality, the neutrality of the mediator is often contested by the conflict parties themselves and, in some cases, by external players as a way to exert pressure on the mediation process, partially credit or discredit it, and pursue their own interests, particularly in intractable conflicts.

¹³³ Blake, R.A. and Mouton. J.S. 1985. *Solving Costly Organizational Problems*, San Francisco, Jossey-Bass.

¹³⁴ Blake, R.A. and Mouton. J.S. 1985. *Solving Costly Organizational Problems*, San Francisco, Jossey-Bass.

¹³⁵ Mitchell, C. R. 1981. *The Structure of International Conflict*, London, Macmillan.

¹³⁶ Moore, C.W. 1986. *The Mediation Process; Practical Strategies for Resolving Conflicts*, San Francisco, Jossey-Bass.



The aim of mediation is to facilitate mutual cooperation among conflict parties, with their consent, to prevent, manage, or resolve conflicts by developing mutually acceptable solutions. This occurs when the conflict parties, with the assistance of third parties, negotiate solutions that they may not be able to find on their own. However, regional mediation is inherently a political process with no advance commitment from the parties to accept and commit to proposed or agreed-upon solutions. This inherent risk poses a challenge to the sustainability of agreed solutions. Therefore, mediators must have a strong mandate and insulate the process and agreements from internal and external pressures that could derail the process and its agreements.

In some cases, mediation proposals or agreements may not be accepted, resisted, or curtailed due to shifting conflict contexts, changing power dynamics, evolving conflict interests, grievances, opportunities, and perceptions of advantages. When mediation is embraced and the conflict parties agree on mutual compromises and settlements, they can create conditions and new opportunities for peace and stability, fostering a conducive environment for peaceful democratic transition. However, mediation may fail at the point of implementation. For example, conflict parties may walk away from their agreements, leading to the abandonment of the entire mediation process or partial and chaotic implementation, depending on the presence and nature of exit clauses in the agreements. Taking these debates into account, this study examines the role of SADC mediation as Pan African regional diplomacy, its outcomes, and implications.

1.2 Overview of the Theoretical and Empirical Aspects of the SADC mediation in Zimbabwe's democratization conflict.

This research draws from liberal institutionalism and the constructivist theories of International Relations (IR).

1.2.1 Liberal Institutionalism: The Transition Paradigm and Democratic Peace

Liberal institutionalism serves as the analytical framework for examining regionalism and democratic transition based on liberal democratic norms, including democracy, the rule of law, human and property rights, elections, liberal constitutionalism, and civil and political liberties. Concepts such as the transition paradigm, democratic peace, and humanitarianism, discussed in Chapter 2, are key to this research. Despite its limitations, liberal institutionalism and



constructivism provide insights into the role, outcomes, and implications of SADC mediation in the Zimbabwe conflict.

Liberal institutionalism views regionalism and democratic transition through the lens of liberal norms, such as democratic peace, humanitarianism, democracy, and the rule of law.¹³⁷ Regional organizations are seen as agents of democratization and the dissemination of universal liberal norms. The dominance of the liberal global order, driven by unilateral geopolitical and ideological forces and fueled by globalization, reached its peak in the quest to universalize Western liberal democracy as the ultimate form of government.¹³⁸ Controversially, Western powers have invoked liberal democratic norms through military intervention, sanctions, and other coercive measures (coercive diplomacy) to impose and enforce regime change abroad.¹³⁹

Liberal institutionalism places cooperative relations at the core of state behavior, contrasting with the Hobbesian state of anarchy.¹⁴⁰ Scholars like Nye, Keohane, and Krasner argue that the diffusion of liberal and democratic norms and values, such as multi-partyism, democratic elections, constitutionalism, the rule of law, human rights, and the countervailing role of civil society against a minimal state,¹⁴¹ is crucial to regionalism and the democratization efforts of regional organizations.

Liberal institutionalism has shaped the role of regional organizations in conflict resolution by promoting peace processes and democracy building based on theories such as the democratic or liberal peace theory,¹⁴² democracy promotion, the transition paradigm,¹⁴³ the responsibility to protect (R2P),¹⁴⁴ international humanitarianism, and the promotion of human rights rooted in democratic institutions, values, and norms akin to a constitution of liberal democracy.

¹³⁷ Barkawi, T. and Laffey, M. eds., 2001. *Democracy, Liberalism, and War: Rethinking the Democratic Peace Debate*. Lynne Rienner Publishers.

¹³⁸ Fukuyama, F. 1992. *The End of History and the Last Man*, Free Press, New York

¹³⁹ Nyere, C. 2020. NATO's 2011 Invasion of Libya: Colonialism Repackaged? In E. Benyera (Eds) *Reimagining Justice, Human Rights and Leadership in Africa*. Advances in African Economic, Social and Political Development. Cham, Springer

¹⁴⁰ Viotti, P.R. and Kauppi, M.V., 2019. *International Relations Theory*, Rowman and Littlefield, New York

¹⁴¹ Oneal, J. R., Oneal, F. H., Maoz, Z., Russett, B. 1996. The Liberal Peace: Interdependence, Democracy, and International Conflict, 1950-85, *Journal of Peace Research*, Volume 33 (1), pp. 18

¹⁴² Oneal, J. R., Oneal, F. H., Maoz, Z., Russett, B. 1996. The Liberal Peace: Interdependence, Democracy, and International Conflict, 1950-85, *Journal of Peace Research*, Volume 33 (1), pp. 18.

¹⁴³ Macfaul, M.2004. Do International Norms Really Matter? Democracy Promotion as a World Value, *The Washington Quarterly*, Volume 28, Issue 1, pp.147-163.

¹⁴⁴ Chandler, D.2004. The Responsibility to Protect? Imposing the 'Liberal Peace', *International Peacekeeping*.

Volume 11, Issue 1, *Peace Operations and Global Order*. pp.59-81



Advocates of liberal institutionalism argue that regionalization and regionalism contribute to increased global interconnectedness and linkages, fostering mutual interdependence among states and positively influencing their behavioral patterns and cooperation.¹⁴⁵

During the 1990s, the SADC embraced liberal democratic reforms. SADC member countries adopted multi-partyism and national constitutions that enshrine liberal democratic norms and values. Liberal institutionalism provides a solid framework for tracing the transition to liberal democratic norms and examining the role of regional organizations in facilitating the establishment of liberal democracy. However, African countries and the SADC view democratic reforms within the historical context of their struggles for independence and self-determination, shaped by a long history of Western oppression and guidance. This necessitates a broader understanding of democratization beyond the confines of liberal democracy.

Contrary to the assertions of liberal institutionalism, which often involve Western tutelage or coercive epistemic and policy interventions, Africans seek self-determination and assert their agency in solving their own problems and shaping their futures independently. This approach calls for a historically informed analysis of domestic challenges and the development of medium to long-term solutions that go beyond the scope of liberal democratic norms.

Liberal institutionalism tends to adopt a Eurocentric or broadly Western perspective on democratization, which overlooks the unique conditions in Africa. Its Western, Eurocentric political, historical, and normative bias limits its ability to appreciate the role and effectiveness of regional mediation as a form of African diplomacy. While liberal institutionalism offers a coherent description of democratic norms, it fails to fully consider the historical context, domestic dynamics, and international agency of Africans and their regional organizations in influencing peace processes and democratic transitions based on their own ideas, historical experiences, and contextual factors.

Liberal institutionalism's understanding of democracy and its application in resolving conflicts is often presented as a universal framework, including for Africa as a whole and Zimbabwe in

¹⁴⁵ Keohane, R. O. and, Nye, J. S. 2001. Power and Inter-dependence. New York, Longman.

particular. However, scholars such as Mugabe,¹⁴⁶ Mamdani,¹⁴⁷ and Mkandawire¹⁴⁸ have argued that the Zimbabwe crisis had deeper underlying factors that went beyond the pursuit of multiparty elections. These factors included a quest for self-definition and the desire to follow an African path towards democratic self-realization. The crisis was shaped by contested, multi-layered historical contradictions that could not be fully addressed through the sole focus on electoral processes.

1.2.2 The Constructivist Perspective

The constructivist approach in International Relations (IR) argues that the perception of international reality is socially constructed through cognitive structures that attribute meaning to the material world.¹⁴⁹ This perspective offers valuable epistemological, theoretical, and empirical insights into understanding conflicts and the role, outcomes, and implications of regional diplomacy beyond the mere adoption of liberal democratic norms. Constructivists emphasize the significance of socially and historically informed agency in IR and global affairs,¹⁵⁰ suggesting that actors have the ability to shape and be shaped by their material world through ideas, while also being influenced by their social and historical experiences. According to constructivists, the behaviour of states is influenced by historical, geographical, and social contexts, and identities, thereby challenging the universalistic assumptions of norms and values put forth by neoliberal institutionalism.¹⁵¹ By considering historical and contextual factors related to the Zimbabwe conflict and the SADC mediation, the constructivist theory of IR offers a more comprehensive understanding of SADC diplomacy in Zimbabwe.

A constructivist approach to IR places collectively held ideational factors at the core of understanding IR and the role of regional organizations. Constructivists argue that these ideational factors, which are constructed and influenced by historical and social contexts, shape the interests and identities of international actors. Moreover, constructivists contend that actor identities and interests are not fixed but are socially constructed and dynamic. By

¹⁴⁶ Mugabe, R.G. 2000. *The Land is the Economy and the Economy is the Land*, Harare, Ministry of Information and Publicity, Government Printers.

¹⁴⁷ Mamdani, M., 2008. *Lessons of Zimbabwe: Mugabe in Context*, London Review of Books, 30(23) pp.17-21.

¹⁴⁸ Mkandawire, T., 2020. *Zimbabwe's Transition Overload: An Interpretation*, Journal of Contemporary African Studies, 38(1) pp.18-38.

¹⁴⁹ Adler, E., 1997. 'Seizing the Middle Ground: Constructivism in World Politics', *European Journal of International Relations* 3 (3), pp. 319 - 363.

¹⁵⁰ Wendt, A., 1992). 'Anarchy is What States Make of It: The Social Construction of Power Politics', *International Organisation*, 46(2), pp. 391-427.

¹⁵¹ Adler, E., 1997. 'Seizing the Middle Ground: Constructivism in World Politics', *European Journal of International Relations* 3 (3), pp. 319 - 363.



applying the constructivist theory of IR, we can better grasp the evolution and development of the SADC, the historical and contextual factors that have influenced regionalism and the specific form of mediation and diplomacy employed within the region. Consequently, this approach allows for a comprehensive analysis of the role, outcomes, and implications of SADC mediation.

Constructivists argue that norms, defined as prescriptive statements encompassing procedural and substantive rules, standards, and principles, hold significant influence in International Relations (IR). These norms and values carry a sense of obligation and provide guidelines for action in decision-making processes, with states accepting them as norms and standards that ought to be followed.¹⁵² Norm-based constructivist approaches generally assume that actors adhere to a "logic of appropriateness," internalizing prescriptions of what is socially defined as normal, true, right, or good, regardless of calculations of consequences and expected utility.¹⁵³ States base their security choices not only on their physical capabilities but also on normative understandings. While organizations like the AU, SADC, and similar regional bodies contribute to the dissemination of norms, these norms are intricately linked to national and regional socio-historical experiences and politics. Thus, while some states may act as "norm entrepreneurs" advocating and spreading specific norms, this role should be understood within the regional historical context.

Additionally, constructivists emphasize the role of individual norms in global politics. For instance, the global norm against apartheid, which emerged and institutionalized across various states such as the United Kingdom, the United States, and Zimbabwe, as well as international institutions like the Commonwealth, the Organization of African Unity, and the United Nations,¹⁵⁴ played a significant role in ending the apartheid regime in South Africa.¹⁵⁵ Similarly, resistance against colonial oppression, liberation struggles, and the pursuit of national independence fostered a strong norm of nationalist-liberation solidarity among former liberation statesmen and governments. This norm holds great influence over their international relations and diplomacy, particularly within the SADC region.

¹⁵² Klotz, A., 2018. Norms in international relations: The struggle against apartheid. Cornell University Press.

¹⁵³ Katzenstein, P. J., 1996. The Culture of National Security: Norms and Security in World Politics. Columbia, Columbia University Press.

¹⁵⁴ Klotz, A., 2018. Norms in international relations: The struggle against apartheid. Cornell University Press.

¹⁵⁵ Klotz, A., 2018. Norms in international relations: The struggle against apartheid. Cornell University Press.



The constructivist perspective provides a more comprehensive understanding of the role of African regional organizations by considering domestic stimuli in explaining their origin, the ideas put forth by African statesmen, the nature and character of regional mediation diplomacy, as well as its role, impact, and implications, all within the historical and contextual conditions of the SADC region. The nature and character of regionalism in Southern Africa, shaped by shared historical experiences of colonial oppression, collaborative anti-colonial struggles, and the emergence of liberation party governments with a strong sense of national sovereignty and, to some extent, ideological activism at the international level, have greatly influenced SADC diplomacy in Zimbabwe.¹⁵⁶

The constructivist approach allows for engagement with ideas of Pan-Africanism, historical and decolonial African studies, which continue to influence regional mediation and sub-regional diplomacy. This approach draws from the regional historical and epistemic context, which allows for self-representation, self-articulation, and addressing the agency of Africans in solving their own problems as part of a broader regionalism agenda. Such an approach recognizes both the positive and negative aspects of African agency and the African renewal, often referred to as the African renaissance project. This project underscores the importance of Africans claiming their place in international affairs, generating domestically-driven solutions rather than relying on externally-imposed (Western) mechanisms burdened with the historical baggage of marginalization and oppression.

A constructivist perspective to regionalism emphasizes the importance of social structures in the form of norms and ideas in shaping patterns of state behaviour and regionalism.¹⁵⁷ SADC emerged from deep-rooted intrastate conflicts, its member states dealt with colonial domination, liberation struggles, civil wars - some of them armed and violent - and post-independence destabilization,¹⁵⁸ which all shaped its developmentalist regionalism, peace and security institutions,¹⁵⁹ its institutional reforms and restructuring in the 1990s.¹⁶⁰ As argued by Hwang, SADC has reshaped, modified, and changed the process of regionalization taking a

¹⁵⁶ Ngoma, N.2003. Towards a Security Community, African Security Review, Vol. 12, Issue .3, pg.17-28.

¹⁵⁷ Hettne, B. and Soderbaum, F. 2002. "Theorizing the Rise of Regionness", in S. Breslin, C.W. Hughes, N. Philips and B. Rosamond, (eds), New Regionalism in the Global Political Economy, London and New York, Routledge, pp.45.

¹⁵⁸ Soderbaum, F.2001." The Dynamics of Peace and Development Regionalism in Southern Africa" in N. Poku, (ed)., Security and Development in Southern Africa, Westport, Praeger.

¹⁵⁹ Soderbaum, F.2001." The Dynamics of Peace and Development Regionalism in Southern Africa" in N. Poku, (ed)., Security and Development in Southern Africa, Westport, Praeger.

¹⁶⁰ Soderbaum, F.1998. "The New Regionalism in Southern Africa", Politeia 17 (3), pp.75-92



trajectory influenced by its past and present conditions, as well as its historical needs, uniquely impacting the manner of its regional mediation roles.¹⁶¹

The SADC's regionalism is driven by a process of state building focused on strengthening the sovereignty of its member states, instead of limiting it as suggested by neo-liberal institutionalists, hence processes of mediation that are state-centric, dominated by incumbent liberation party governments whose commitment to democratic transition should be viewed from a nuanced perspective.

The constructivist perspective contends that "sociological and intersubjective processes" denominate the emergence of regional cooperation in the SADC region.¹⁶² As explained by Hwang, institutions, as structures, ideas, and processes constitute (regional) identity and interests through regional interactions amongst actors affecting the idea of each other and region-hood.¹⁶³ A constructivist perspective permits the study of the role and effect of institutions, as well as understanding how such institutions promote regional culture, development of mutual trust and value system such as regional peace diplomacy, democracy, human rights, and the formation of shared identity among others.¹⁶⁴ It further assists in understanding the ideas, attitudes, approaches, strategies, tactics, and crisis responses of SADC member states through persistent resort to diplomacy, dialogue, and consensus informally and formally as institutionalized within the SADC Summit and the SADC Organ on Politics, Defence and Security (OPDS) against and in the face of external pressure for coercive diplomacy.¹⁶⁵ Thus an eclectic approach, combining liberal institutionalism and constructivism sheds insight into understanding the role, outcomes, and implications of the SADC mediation in the Zimbabwe conflict.

1.3 Research Problem

Considering the ongoing debate surrounding the role of regional mediation and its impact on democratic transition, along with the polarized and inconclusive views on this matter, this

¹⁶¹ Hwang, K.D.2007.Constructing Politico-security Regionalism in Southern Africa: The Case of SADC, *Journal of International and Area Studies*, Volume 14, Number 1, pp.67-84.

¹⁶² Acharya, A. 1998. Collective Identity and Conflict Management in South East Asia" in E. Alder and M. Barnett (eds) *Security Communities*, Cambridge, Cambridge University Press.

¹⁶³ Hwang, K.D.2007.Constructing Politico-security Regionalism in Southern Africa: The Case of SADC, *Journal of International and Area Studies*, Volume 14, Number 1, pp.67-84.

¹⁶⁴ Hwang, K.D.2007.Constructing Politico-security Regionalism in Southern Africa: The Case of SADC, *Journal of International and Area Studies*, Volume 14, Number 1, pp.67-84.

¹⁶⁵ Adelman, M. 2004. Quiet Diplomacy: The Reasons behind Mbeki's Zimbabwe Policy, *Africa Spectrum*, Vol. 39, No. 2, pp. 249-276.



research aims to shed light on the subject. While third-party mediation has played a crucial role in achieving political stability and resolving intrastate ethnic and international conflicts, the effectiveness of negotiated settlements has been inconsistent, with some political agreements proving to be temporary. The existing literature on the role and implications of regional mediation in democratic transition remains limited. Therefore, this study focuses on examining the role and potential of SADC mediation in addressing violent intrastate democratization conflict in Zimbabwe. To achieve this, the research aims to comprehend both the democratization conflict in Zimbabwe and the historical context of SADC mediation.

To investigate the role, outcomes, and implications of the SADC mediation in Zimbabwe, this research addresses the following questions:

- What was the role of the SADC mediation in addressing intrastate democratization conflict in Zimbabwe, and what were its outcomes and implications?
- How did the approach of the SADC mediation in Zimbabwe reflect the influencing conditions, and what were the implications for democratic transition?
- What were the implications of the Global Political Agreement (GPA) and the power-sharing political settlement for the dynamics and outcome of democratic transition in Zimbabwe?
- To what extent was the SADC mediation successful in resolving the Zimbabwe conflict and fostering democratic transition?
- What lessons can be derived from the SADC mediation of the Zimbabwe crisis?

By answering these questions, the research aims to contribute to a better understanding of the role and implications of SADC mediation in addressing democratization conflicts, drawing insights from the specific case of Zimbabwe.

1.4 Objectives of the Study

The primary aim of this research is to provide a description and examination of the role, processes, and implications of the SADC mediation in addressing intrastate democratization conflict in Zimbabwe. However, the study specifically focuses on the following objectives:



- To examine, provide an explanation and description of the role, outcomes and implications of the SADC mediation in relation to the intrastate democratization conflict in Zimbabwe.
- To conduct an analysis of the process and outcomes of the SADC mediation as an Afrocentric Pan-African conflict diplomacy aimed at facilitating democratic transition and political stability, with a particular emphasis on resolving the Zimbabwe conflict.
- To propose lessons that can be derived from the SADC mediation of the Zimbabwe crisis, which can serve as guidance for future instances of mediation in intrastate democratization conflicts.

1.5 Research Methodology

This study utilized a qualitative descriptive case study approach to examine the role and impact of the SADC mediation in Zimbabwe's intrastate democratization conflict. Qualitative research encompasses various designs, including case studies, grounded theory, phenomenological, ethnographic, and historical approaches.¹⁶⁶

Aligned with the research objectives and questions, the utilization of a qualitative descriptive case study design allowed the researcher to delve into a nuanced and detailed description and analysis of the political dynamics at play. This approach adopted an actor-centric perspective, focusing on the calculations, strategies, policies, intentions, and actions of the involved parties within their historical and structural context, thus providing a critical description and analysis.

The research employs a single analytical case study approach, following the research steps outlined by Yin,¹⁶⁷ with a specific focus on the SADC mediation of Zimbabwe's democratization conflict. Drawing inspiration from Scott and Garrison, a case study methodology allows for a comprehensive analysis of existing literature and documents, offering detailed background

¹⁶⁶ Mason, J. 2002. Qualitative Researching, *ibid.*

¹⁶⁷ Yin, R., 1994. Case Study Research: Design and Methods (2nd ed.). Beverly Hills, CA: Sage Publishing.

information, contextual understanding, and addressing the research questions effectively.¹⁶⁸ Both primary and secondary data sources were utilized in this study.

The research primarily relies on a desktop literature review that incorporates a wide range of primary and secondary data. Various primary and secondary resources were carefully selected to ensure the robustness and depth of the arguments and analysis presented in this dissertation, encompassing a significant quantity of diverse sources.

Considering the limited availability of primary data, such as official documents, notes, and communications from key parties involved in the mediation, the research heavily relies on an extensive literature review of the growing body of literature on SADC mediation. Relevant documents and updates pertaining to the SADC mediation were gathered from online sources, including the SADC website, media reports, an expanding collection of biographies authored by individuals directly or indirectly associated with the mediation processes, and/or the Inclusive Government.

By referencing biographies and memoirs written by Chikane,¹⁶⁹ Mutambara,¹⁷⁰ Coltart,¹⁷¹ Mavimbela,¹⁷² and other notable individuals, including direct participants, insiders of the SADC mediation process, and political party elites who were part of the GNU, this research benefits from their personal experiences, insights, and reflections on the SADC mediation. These memoirs are placed within the broader context of existing literature on the SADC mediation to account for potential personal biases associated with memoirs and biographies, while also incorporating detailed accounts of events and experiences.

In addition to these personal accounts, the research also draws from a growing body of academic literature on the SADC, recognizing that many of these publications may exhibit a liberal institutional bias. Secondary data sources include books, journal articles, newspaper articles, internet articles, policy statements, party policies, strategic documents, letters, and communiqués, which collectively contribute to a comprehensive understanding of conceptual, theoretical, and empirical aspects and issues related to the SADC mediation and political

¹⁶⁸ Scott, G.M. and Garrison, S.M.1995. *The Political Science Student Writer's Manual and Reader's Guide*, Rowman and Littlefield, pp. 235.

¹⁶⁹ Chikane, F.2012. *Eight Days in September, Removal of Thabo Mbeki*, Pretoria, Picador Africa.

¹⁷⁰ Mutambara, A.G.O. 2018. In *Search of the Elusive Zimbabwean Dream: An Autobiography of Thought Leadership*, Volume, Harare, SAPES.

¹⁷¹ Coltart, D.2016. *The Struggle Continues: 50 Years of Tyranny in Zimbabwe*, Jacana, Auckland Park

¹⁷² Mavimbela, V.2019. *Time is not the Measure: A Memoir*, Johannesburg, Real African Publishers.



dynamics in Zimbabwe. The search for relevant literature was guided and organized based on the research's theories, concepts, and thematic framework.

To ensure a balanced perspective, the research incorporates emerging literature from constructivism in international relations (IR), although the availability of such literature remains relatively limited. By considering African statesmen, their strategies, voices, diplomacy, peace initiatives, and their self-understanding in mediation and regional diplomacy, the research highlights the role of regional and continental agency within the broader context of SADC mediation.

1.6 Research Limitations

The research mostly relied on secondary literature due to constrained access to primary documents, notes and reports related to the SADC mediation and interparty negotiations and engagements, particularly closed door and informal meetings which could have enhanced the empirical grounding of the thesis. Most of these important documents are still not yet publicly available. However, as much as possible, the work drew from available online documents, recent biographies written by actors directly involved with the SADC mediation and key figures in the Inclusive Government, media reports and extensive literature on the SADC mediation. The research relied on the extensive body of literature on the SADC mediation. The dominants of the liberal democratic oriented literature contrasted to the literature on pan African diplomacy reflects the need for more academic research on the later, rather than a methodical limitation.

1.7 Structure of the Research Thesis

Chapter 1:

Chapter 1 introduces the research theme, methodology, the research problem, objectives, limitations, and outlines the study. It provides background information by discussing intrastate democratization conflict and the subsequent mediation context and efforts.

Chapter 2:

In Chapter 2, we discuss the theories and key concepts of the research in detail. The chapter highlights the main elements and explains how these concepts are utilized in this research, including their strengths, limitations, and relevance to the Zimbabwean and African context.



Chapter 3:

Chapter 3 provides a comprehensive discussion of the background to the democratization conflict in Zimbabwe. It examines the dual contradictory legacy of the transition from colonialism, the liberation struggle, and their implications for post-colonial democratic transition, emphasizing the complex and multi-layered nature of the conflict.

Chapter 4:

Chapter 4 revisits the conflict, identifying the conflict parties, their strategies, and tactics, and explores how these factors shaped the dynamics of the conflict.

Chapter 5:

Chapter 5 discusses the SADC Process of Mediation and Interparty Negotiation in 2007 and 2008-2013. It focuses on the Kariba negotiations and examines how they collapsed, leading to the second phase of the SADC mediation during the period 2008-2013. The chapter further explores the 2008-2013 SADC diplomacy, specifically the interparty dialogue and the resulting reforms.

Chapter 6:

Chapter 6 examines the democratic transition and political reform outcomes of the SADC mediation. It highlights the role and impact of regional diplomacy in the Zimbabwean conflict.

Chapter 7:

This chapter presents the conclusions derived from the research and establishes connections to the main concepts, research questions, and objectives of the study. The chapter discusses the major findings and draws lessons from the research.



CHAPTER 2: THEORETICAL AND CONCEPTUAL FRAMEWORK

2.1 Introduction

This chapter provides a discussion of the theoretical and conceptual framework employed in this research. The study draws from theories of International Relations (IR), specifically liberal institutionalism and constructivism, to define the key concepts that inform the study. However, relying solely on liberal institutionalism is inadequate for understanding the role, outcomes, and implications of the SADC mediation. To address this limitation, the research adopts an eclectic approach by combining liberal institutionalism and constructivism, as attempted by Xu,¹⁷³ Serrao, and Bischoff.¹⁷⁴ This eclectic approach allows for a middle-range problem-solving approach beyond the polarized dominant paradigms of IR¹⁷⁵ while placing African agencies at the forefront of the emergence of the SADC and subsequent regional mediation. To fully comprehend the role, outcomes, and implications of the SADC mediation, it is necessary to adopt a mixed focus that conceptually incorporates insights from both constructivism and liberal institutionalism while emphasizing Pan-African regionalism and mediation as Pan-African regional diplomacy. Relying solely on liberal institutionalism, as predominantly applied in previous research on the Zimbabwe conflict and the SADC mediation, cannot adequately provide a comprehensive understanding. Therefore, this research takes an eclectic approach that rejects universalist assumptions in IR, and instead focuses on pragmatic, problem-solving-driven, and complexity-sensitive research and approaches to regional mediation.¹⁷⁶ Informed by the major theories of the research, the main concepts explored are mediation, Pan African regionalism, Pan African regional diplomacy, democracy, democratization, and the democratic transition paradigm. This chapter defines these concepts and highlights how they are applied throughout the research.

¹⁷³ Xu, C., 2019. The Critical Impasse of Peacebuilding: Toward an Analytically Eclectic Critique of Liberal Peacebuilding. *International Journal*, 74(4), pp.581-599.

¹⁷⁴ Serrao, O. and Bischoff, P. 2010. Foreign Policy Ambiguity on the Part of an Emergent Middle Power: South African Foreign Policy through other Lenses, *Politikon*, South African Journal of Political Studies Volume 36, Issue 3, pp. 363-380.

¹⁷⁵ Xu, C., 2019. The critical impasse of peacebuilding: Toward an analytically eclectic critique of liberal peacebuilding. *International Journal*, 74(4), pp.581-599.

¹⁷⁶ Lake, D. A., 2013. Theory is Dead, Long Live Theory: The end of the Great Debates and the rise of Eclecticism in International Relations. *European Journal of International Relations*, 19(3), 567–587. <https://doi.org/10.1177/1354066113494330>.



2.2 Mediation

Mediation involves the intervention of third parties to resolve conflicts, facilitating mutual solutions through cooperative decision-making and agreements. It emphasizes dialogue and negotiations¹⁷⁷ as means to achieve resolutions, without resorting to force, violence, or coercion.¹⁷⁸ It is important to acknowledge that mediation draws from African practices and norms, which are often overlooked by dominant Western paradigms in the field of International Relations (IR). African mediation practices are rooted in dialogue,¹⁷⁹ candid yet respectful mediation focused on reconciliation and cooperation,¹⁸⁰ and the ethos of respect, deference to authority, seniority,¹⁸¹ and a specific form of regionalism observed in the SADC region.

The definition, practice, approaches, standards, and articulation of mediation tend to vary across different disciplines that contribute to its understanding.¹⁸² The overarching goals of any mediation process are to halt violence, reduce hostilities, minimize casualties, and achieve a political settlement that fosters political stability.¹⁸³ In practice, African mediation practices tend to lean towards containment of specific conflicts, prevention diplomacy, and a notion of success centred around fostering political stability and a gradualist approach to democratic transition. In the context of intrastate democratization conflicts and election deadlocks, the ultimate objective should be to establish a negotiated path towards a peaceful democratic transition by embracing mutually agreed democratic, inclusive norms, structures, and practices.¹⁸⁴ This approach aims to shift deeply entrenched patterns of conflict towards peaceful democratic contestation.

This perspective aligns with the understanding that African states, as well as the notion of state formation, emerged only a few decades ago following the end of colonialism. The experiences

¹⁷⁷ Raymond GA, and Kegley CW. 1985. Third Party Mediation and International Norms: A Test of Two Models. *Conflict Management and Peace Science*. 9(1):33-52. doi:10.1177/073889428500900103

¹⁷⁸ Wundke, P., 2013. The Role of Mediation in Conflict Resolution, *Managing Conflict in the Developing World*, 30(3), p.48.

¹⁷⁹ Ndlovu, S. and Ndlovu, L., 2012. Mediation as Conflict Resolution in Traditional Ndebele Society. *Africana*, 6, pp.168-92.

¹⁸⁰ Ajayi, A.T. and Buhari, L.O., 2014. Methods of Conflict Resolution in African Traditional Society. *African research review*, 8(2), pp.138-157.

¹⁸¹ Kariuki, F., 2015. Conflict Resolution by Elders in Africa: Successes, challenges and opportunities. *Challenges and Opportunities* (July 9, 2015).

¹⁸² Folberg, J. 1983. A Mediation Overview: History and Dimensions of Practice, *Mediation Quarterly*, Issue, 1, pp.1-13, <https://www.ojp.gov › ncjrs › virtual-library>, Viewed 18 March 2020.

¹⁸³ Elgström, O and Skau, C. 2003. Regional Organisations and International Mediation: The Effectiveness of Insider Mediators, *Accord*, AJCR. 1, <https://www.accord.org.za/ajcr-issues>.

¹⁸⁴ Raymond G A, and Kegley CW. 1985. Third Party Mediation and International Norms: A Test of Two Models. *Conflict Management and Peace Science*. 9(1):33-52. doi:10.1177/073889428500900103.



of various colonial and post-colonial conflicts have contributed to complex dimensions of persistent violent political contestation and instability in African states, making the process of democratization an enormous challenge.

Mediation can be understood as a form of peaceful diplomacy, characterized by a facilitative approach that is non-coercive and non-binding in nature.¹⁸⁵ The primary role of the mediator, as a third party, is to promote dialogue among the conflicting parties, leading to political agreements and settlements. The mediator's objective is to facilitate the full implementation of the political settlement, bring an end to violent polarized rivalries, and enable peaceful and cooperative democratic political competition. In the context of election deadlock, mediation aims to prevent violence and ensure peaceful, free, and fair elections with widely accepted outcomes.

The outcomes of mediation can vary significantly. In terms of the process, mediation involves assisted dialogue, leading to agreements or some form of consensus, negotiations, and political settlements. It often leans towards consociational outcomes, which address political divisions and conflicts.¹⁸⁶ Consociational approaches, born out of mediation, have played a crucial role in ending conflicts and fostering peace and stability in Africa, particularly in fragile and divided societies. However, the predominant focus on Schumpeterian democracy has led to minimal attention being given to alternative means of fostering democracy through African regional diplomatic agency.

Mediation is characterized by a process-oriented and long-term nature, as well as concrete negotiation outcomes, such as the signing of peace treaties, agreements, or political settlements. As a process, mediation involves the cooperative definition and crafting of political rules, and procedures, the creation of institutions, and the design of policies, with the assistance of the mediator as a facilitator of dialogue and negotiations. This process includes transforming the dynamics of conflict and relationships from polarized violence to cooperative engagement, dialogue, negotiations, and political settlements, sometimes supported by enforcement and policing mechanisms. The mediator acts as the guarantor of the process, ensuring its integrity. In the case of the SADC mediation, both the SADC and the AU played the role of guarantors.

¹⁸⁵ Bercovitch, J. 2011. Introduction: Or How to Study and Do Research on Mediation, Theory and Practice of International Mediation, Selected Essays, London, Routledge.

¹⁸⁶ Kabanda, U., 2012. Consociational Democracy in Africa. American Academic Scientific Research Journal for Engineering, Technology, and Sciences, 2(1), pp.1-14.

Mediated political settlements can take various forms, including formal, informal, or a combination of both. They often serve as interim constitutions during a transitional period, with termination based on exit or sunset clauses. In some cases, these settlements may endure as long-term transformative institutional arrangements, depending on the agreements reached by the conflicting parties. The success of mediation relies on the role and capacity of cooperative institutions to bridge violence and foster cross-partisan convergence on the issues at stake, ultimately reaching a settlement that is sustainable until the conclusion of the mediation process and the achievement of its goals.

While there are numerous strategies that can be employed by the mediator and the conflict parties, our study specifically focuses on the influence of the SADC in achieving positive outcomes for peace and democracy in Zimbabwe. The mediator's leverage is derived from a range of diplomatic and political attributes, which can be personal, political, or institutional in nature. These attributes, along with the source of the mediator's mandate, shape their ability to influence cooperative behavior among the conflict parties, aligning them with regionally and nationally acceptable norms, values, procedures, and policy preferences. The role and approach of the mediator are also influenced by the historical political and social context, as well as the nature of the conflict and its potential outcomes. The depth of division within the conflict parties and their attitudes significantly impact the possible outcomes, including the agreed institutional forms and their sustainability.

In general, all cases of mediation involve four fundamental elements that shape the process: (1) the conflict parties; (2) the issues or nature of the dispute; (3) the mediator; and (4) the conflict context or environment.¹⁸⁷ This context may involve interconnected domestic and international issues, influencing the role of the mediators, the issues at stake, the overall process, and the potential outcomes. The inclusivity of the mediation process plays a crucial role in its legitimacy and broader acceptance. While determining the exact limit of inclusivity can be challenging, we adopt the concept of "sufficient inclusivity," which aims to include all actors capable of effectively undermining, derailing, or destroying the mediation process (known as spoilers).¹⁸⁸ This approach seeks to involve actors who represent a significant

¹⁸⁷ Bercovitch, J. 2011. Introduction: Or How to Study and Do Research on Mediation, Theory and Practice of International Mediation, Selected Essays, London, Routledge.

¹⁸⁸ Stedman, S., 2002., "Introduction". In: Stedman, S., Rothchild, D., and Cousens, E., (eds.), (2002), Ending Civil Wars: The Implementation of Peace Agreements. Boulder: Lynne Rienner, 1-40.



proportion of their community and those with the capacity to disrupt the process and agreements.

The desired outcomes of mediation encompass a range of compromises, commonly referred to as a political agreement or a political settlement. A political settlement can take the form of a formal and comprehensive document, outlining specific clauses, terms, rules, and procedures that address the key issues at stake. It may include time-bound commitments or sunset clauses to guide the implementation of critical agreements. On the other hand, informal agreements can be characterized as gentlemen's agreements or mutually agreed commitments between the conflict parties. Formal political settlements are documented agreements with clear terms of reference and defined agreements, while mediated political settlements may also establish structures and timelines for agreement implementation.¹⁸⁹

A political settlement represents a framework of negotiated interests among all relevant actors involved in the conflict. It reflects the balance of power and interests among rival political factions and shapes the structure of property rights, entitlements, and both formal and informal institutions.¹⁹⁰ However, “political settlements” are not static but rather subject to constant renegotiation. The renegotiation process provides a peaceful mechanism for managing large-scale violent conflicts, enabling the conflict parties to address their differences within the framework of the “political settlement.” As long as the settlement is satisfactory for all relevant parties, they are likely to accept their place within it, as deviating from the settlement would be disadvantageous and could lead to a relapse into violent rivalry. Mediation processes are inherently contested, but this contestation among the conflict parties occurs through dialogue and negotiation. Any deviation from the mediation framework may risk the breakdown of the process.

The inclusion of sunset clauses in mediated political agreements varies depending on the nature of the process and the conflict at hand. Different scholars hold different views on the role and impact of specificity and clarity in crafting these agreements. Some argue for the importance of being specific and clear, while others advocate for allowing flexibility and continuous dialogue among the conflict parties during the implementation phase. We acknowledge that what truly matters is the commitment of the conflict parties to engage in the

¹⁸⁹ Di John, J., and Putzel, J., 2009, “Political Settlements”. GSDRC Issues Paper. Birmingham: Governance and Social Development Resource Centre, 4.

¹⁹⁰ Di John, J., and Putzel, J., 2009, “Political Settlements”. GSDRC Issues Paper. Birmingham: Governance and Social Development Resource Centre, 4.

mediation process. In a flexible mediation approach, allowing for adaptability and avoiding rigid positions based solely on gains or positional advantage would enable the parties to consolidate dialogue and negotiations towards a mutually beneficial resolution.

While theoretically it is straightforward to distinguish the role, process, and outcomes of mediation, in practice, these aspects often overlap and intertwine, building upon each other at every step. The actuality of mediation involves complex processes influenced by various factors, including the mediator's and conflict parties' role perceptions, external influences, the nature of the conflict, and other relevant issues. Therefore, in order to outline the process and outcomes of the SADC mediation, this research follows a trajectory that encompasses regionally mediated dialogue, interparty negotiations, political compromises and settlements, implementation of agreements,¹⁹¹ and the transformative impact on the political system, conflict dynamics, and key political institutions. Mediation can encounter intractable and cyclical contentions, leading to numerous dead ends or deadlocks, sometimes resulting in the complete collapse of the process. In some cases, agreements are reached but fail during the implementation stage. In other instances, partial implementation may be achieved, but the challenge lies in determining the significance of such implementation in terms of its impact on political reforms and the establishment of a peaceful democratic system.

2.3 Mediation: Ripeness, Negotiation, (Pan African) Regional Diplomacy in Zimbabwe

The concept of ripeness of conflict has dominated studies in conflict and mediation to a point where it has become a consensus. Debates on conflict ripeness and negotiations have generated some important insights into diplomatic solutions focusing on the role and character of diplomacy for successful mediation. Debates on ripeness have generated a broad body of literature from scholars such as Zartman,¹⁹² Stedman¹⁹³ and Hancock¹⁹⁴ amongst others, focussing on the role of mediation by third parties, the timing and onset of negotiations, nature and character of the conflict, the willingness of the conflict parties to engage in mediation based on their changing behaviours, attitudes and views about the conflict, the resultant substantial mutual concessions if any, and the negotiated settlements and cessation of hostilities. The concept of ripeness shed insights into the phases of the Zimbabwe conflict, and the timing of

¹⁹¹ Zartmann, W.I. 1978. *The Negotiation Process: Theories and Applications*, London, Sage.

¹⁹² Zartman, I. W. 2001. "The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments." *Global Review of Ethnopolitics*, 1(1), pp. 8–18.

¹⁹³ Stedman, S.1991. *Peacemaking in Civil War: International Mediation in Zimbabwe, 1974– 1980*. Boulder, CO: Lynne Rienner Publishers.

¹⁹⁴ Hancock, L. E. 2001. "To Act or Wait: A Two-Stage View of Ripeness." *International Studies Perspective*, 2(2), pp. 195–205.



the SADC mediation, its challenges and its success as reflected through the process of mediation in terms of fostering dialogue, negotiations, and the subsequent outcomes. The literature on ripeness also explains why agreements can be reached in certain conflict situations, but not in others, and predicts when a conflict is ripe for resolution, suggesting how conflict situations could be approached.¹⁹⁵

The literature on ripeness highlights the objective and subjective standards required for conflict resolution, centred on the timing of mediation processes, the conditions under which parties in conflict make the decisions to enter into negotiations, the factors which make the conflict amenable to resolution,¹⁹⁶ and the prospects of success in realising a political settlement to end the conflict.¹⁹⁷ As key moments in conflict, ripeness reflects the perceived environmental situation of the conflict, as assessed by the third parties and the conflict parties, where the latter are ready to engage in negotiations mediated by third parties, with the potential to resolve a particular conflict.¹⁹⁸

A “ripe,” moment renders a situation when conflict is more likely to be successful to resolve with the help of third parties, while premature intervention may result in disengagement by the conflict parties. Their ripe moment is a phase of the conflict when the conflict protagonists mutually perceive an accord to be desirable¹⁹⁹ when all important parties to a conflict become willing to search for a political settlement,²⁰⁰ and when they realise that unilateral options are blocked, hence bilateral options become conceivable²⁰¹ and must be pursued, leading to successful mediation.²⁰² Ripeness is characterised by a combination of several contextual factors creating conducive conditions for successful regional mediation by shifting the calculations, attitudes and behaviour of the conflict parties towards mediation, and dialogue cooperation as opposed to violent antagonism.²⁰³ In both 2007, and 2008-2013, although

¹⁹⁵ Zartman, I. W. 2001. “The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments.” *Global Review of Ethnopolitics*, 1(1), pp. 8–18.

¹⁹⁶ Zartman, I. W. 2001. “The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments.” *Global Review of Ethnopolitics*, 1(1), pp. 8–18.

¹⁹⁷ Zartman, I. W. 1985. *Ripe for resolution*. Oxford: Oxford University Press.

¹⁹⁸ Zartman, I. W. 2001. “The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments.” *Global Review of Ethnopolitics*, 1(1), pp. 8–18.

¹⁹⁹ Haas, R. N. 1990. *Conflicts Unending*. New Haven, CT: Yale University Press.

²⁰⁰ Kleiboer, M. 1994. Ripeness of Conflict: A Fruitful Notion? *Journal of Peace Research* 31, pp.115.

²⁰¹ Lieberfeld D. (1999). Conflict “Ripeness” Revisited: The South African and Israeli/Palestinian Cases. *Negotiation Journal*, Volume 15, Number 1, pp. 63-82.

²⁰² Zartman, I. W. 2000. Ripeness: The hurting stalemate and beyond. In: *Conflict resolution after the Cold War*, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.

²⁰³ Coleman, P. T. (1997), *Redefining Ripeness: A Social-Psychological Perspective*. *Peace and Conflict* 3, pp. 81–103.



violence spiked, it was followed by comprehensive SADC mediation and interparty negotiations.

There are several factors which account for ripeness in conflict, both internal and external to the conflict. Ripeness could be triggered by emerging commitment amongst the conflict parties to change the direction of the normative social processes of the relations towards de-escalation, a mutually hurting stalemate such as a deadlock in the conflict which imposes mutually painful growing costs on all the conflict parties, rendering winning the conflict infeasible.²⁰⁴ A mutually hurting stalemate shifts the actions (behaviour) and thinking of the conflict parties from zero-sum, exclusionary winner take all calculations, towards cooperative ways out of conflict permissive of negotiated paths, and concessions with their opponents, based on divisible and mutually shared outcomes. Ripeness renders a compelling argument for third-party mediation by observing the conflict parties are rational actors, capable of calculating less costly options out of conflict in the facing of a mutually hurting stalemate. The mutually hurting deadlock, ability to act rationally, and availability of less costly options, which could be provided through mediation and negotiations allow for cooperative processes and solutions which are crucial in ending conflicts.²⁰⁵

To resolve a particular conflict, the conflict parties should voluntarily embrace and accept mediation. They should perceive and recognise ripeness, and feel that a negotiated settlement is both imperative and possible, including a shared sense that all sides to the conflict can make concessions, however, contested, leading to the realisation of a political settlement. All the parties to the conflict should accept mediation and negotiations as the only way out of the conflict.²⁰⁶ Proponents of ripeness such as Zartman,²⁰⁷ Haas,²⁰⁸ Kleiboer,²⁰⁹ and Pruitt,²¹⁰ amongst others, concur that ripeness provides a “tipping point,” or a critical moment in evolving conflict situations that leads to new, crucial, and often irreversible developments in diplomatic interventions and conflict settlement leading negotiations and settlement. From the year 2007,

²⁰⁴ Zartman, I. W. 2000. Ripeness: The hurting stalemate and beyond. In: Conflict resolution after the Cold War, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.

²⁰⁵ Zartman, I. W. 2000. Ripeness: The hurting stalemate and beyond. In: Conflict resolution after the Cold War, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.

²⁰⁶ Zartman, I. W. (2001) “The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments.” *Global Review of Ethnopolitics*, 1(1), pp. 8–18.

²⁰⁷ Zartman, I. W. 2000. Ripeness: The Hurting Stalemate and Beyond. In: Conflict Resolution After the Cold War, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.

²⁰⁸ Haas, R. N. 1988. “Ripeness and Settlement of International Disputes,” *Survival*, Vol. 30, No. 3. pp. 232–251.

²⁰⁹ Kleiboer, M. 1994. Ripeness of Conflict: A Fruitful Notion? *Journal of Peace Research* 31, pp. 109 – 116.

²¹⁰ Pruitt, D. G. 1997. “Ripeness Theory and the Oslo Talks.” *International Negotiation*, 2, pp. 237–250.



the SADC mediation was accepted by the conflict parties, and probably, by many Africans as the only solution to the Zimbabwe conflict.

To the extent that operationally, ripeness can be intentionally fostered by big powers as allies to the conflict parties, the parties to the conflict, mediators and other important actors through various forms of leverage, including a combination of craft, skill, research, intelligence, the presence of good mediators capable of turning ripe moments into successful negotiations,²¹¹ and the use of carrots and sticks, it has generated a lacuna in both historical and contextual reading of processes of mediation in conflicts facing substantial or stylistically varied diplomatic approaches to end the conflict.

The suggestion that ripeness can be externally induced,²¹² by powerful interveners, allies, and other stakeholders,²¹³ through human agency and intervention expressed as carrots, sticks and incentives to create the necessary conditions for ripeness,²¹⁴ raises problems in seeking diplomatic solutions to end conflict. This view also differs from the emphasis on dialogue and negotiations in African diplomacy which locates ripeness as a process and outcome of consolidated dialogue leading to the peaceful settlement of conflicts. For example, since 2000, Western countries imposed sanctions on the government of Zimbabwe, with promises of lifting them and providing aid once the ZANU PF regime embraced democracy, human rights and the rule of law, holding free and fair elections and ending the violent Fast Track Land Reform and violent elections.²¹⁵ Western countries and media simultaneously vociferously backed the opposition MDCT and the pro-democracy civil society in Zimbabwe,²¹⁶ which effectively shifted the dynamics of the conflict over time with the biting impact of sanctions raising the economic and political costs of the conflict, particularly on the government.²¹⁷ Although these interventions may have pushed the conflict parties towards a hurting stalemate

²¹¹ Zartman, I. W. 2000. Ripeness: The Hurting Stalemate and Beyond. In: Conflict resolution after the Cold War, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.

²¹² Rubin, J. Z. 1991. "The Timing of Ripeness and the Ripeness of Timing." In L. Kriesberg and S. J. Thorson (eds.), *Timing the De-Escalation of International Conflicts*. Syracuse, N.Y.: Syracuse University Press.

²¹³ Pugh, J. 2009. The Structure of Negotiation: Lessons from El Salvador for Contemporary Conflict Resolution. *Negotiation Journal*, 25(1), 83-105.

²¹⁴ Rubin, J. Z. 1991. "The Timing of Ripeness and the Ripeness of Timing." In L. Kriesberg and S. J. Thorson (eds.), *Timing the De-Escalation of International Conflicts*. Syracuse, N.Y.: Syracuse University Press.

²¹⁵ Hove, M. 2012. The Debates and Impact of Sanctions: The Zimbabwean Experience. *International Journal of Business and Social Science*, 3(5), pp. 23-38.

²¹⁶ Moyo, S. 2014. The Manifestation of Regime Change in Zimbabwe in the 21st century. *Journal of Advances in Political Science*, 1(1), pp. 34-44.

²¹⁷ Mamdani, M. 2000. *Lessons of Zimbabwe*, <https://www.lrb.co.uk/the-paper/v30/n23/>, London Review of Books, Vol. 30 No. 23, Viewed 20 December 2022.



or a deadlock over time, they also deeply fuelled domestic and internationalized polarization which was also reflected in irreconcilably bifurcated approaches to resolving the Zimbabwe conflict between Western-backed coercive diplomacy and African-driven regional cooperative mediation, dialogue and negotiations.

To highlight this point, Western diplomatic interventions played a controversial role in modifying the behaviours of the conflict parties and the context of the Zimbabwe intrastate democratization conflict using carrots and sticks denominated by sanctions as coercive diplomacy whose devastating impact continues to pervade Zimbabwe.²¹⁸ Africanist scholars and statesmen who advance the efficacy of pan-African diplomacy reject both sanctions and Western interventions as intrusive, hostile, counterproductive, and inimical to cooperative peaceful diplomacy informed by the need to foster durable dialogue anchored on the mutual voluntary peaceful home-grown agency in pursuit of cooperative win-win solutions to end conflicts in the continent.²¹⁹ As expressed by the former President of Tanzania, Jakaya Kikwete, Africans rejected Western sanctions and the isolation of Zimbabwe.²²⁰ They backed the role of home-grown institutions and regional organisations in facilitating, cultivating and fostering dialogue and negotiations, as opposed to powerful interveners, particularly Western powers which have a long controversial legacy of colonial and post-colonial dominance in the continent.²²¹

While a mix of external interventions such as political, economic, and military sanctions could play a catalytical role towards ripeness by raising the political costs of conflict,²²² external intervention may also further complicate the conflict, deepening domestic polarization along multiple antagonistic incompatible goals implicating powerful international players, for example, the real or imagined fear of externally Western engineered regime change became a major problem during the SADC mediation which impinged on efforts to foster trust and fulfilment of mutually agreed concessions.²²³ The view that the internationalization of conflict or support by international powerful allies could sway public opinion strengthening one of the

²¹⁸ Gono, G. 2008. Zimbabwe's Casino Economy: Extraordinary Measures for Extraordinary Challenges, Harare, ZPH.

²¹⁹ Gono, G. 2008. Zimbabwe's Casino Economy: Extraordinary Measures for Extraordinary Challenges, Harare, ZPH.

²²⁰ New African, Jakaya Kikwete 'SADC Cannot Abandon Zimbabwe', May 2007, https://www.sardc.net/editorial/NewsFeature/interview_with_kikwete.pdf, Viewed 10 November 2022

²²¹ New African, Jakaya Kikwete 'SADC Cannot Abandon Zimbabwe', May 2007, https://www.sardc.net/editorial/NewsFeature/interview_with_kikwete.pdf, Viewed 10 November 2022

²²² Pugh, J. 2009. The Structure of Negotiation: Lessons from El Salvador for Contemporary Conflict Resolution. *Negotiation Journal*, 25(1), 83-105.

²²³ Chigora, P., and Edson, Z. I. 2011. Diplomacy, regime change agenda and the survival of Zimbabwe in the new millennium. *Alternatives: Turkish Journal of International Relations*, 10(2 and 3), pp. 105-121.



parties during the conflict and negotiations resonates with the transformation of the MDCT from labour backed Party, to an international player and a major part to resolving the Zimbabwe conflict. However, polarizing international influence may derail the processes of mediation, negotiations, and the implementation of agreements, particularly where the powerful external players are too close to the conflict to be viewed by one or more of the conflict parties to be meddling in the conflict.

Given our focus on pan-African diplomacy, the idea of externally engineered ripeness sheds insights into the SADC mediation as pan-African diplomacy, particularly as an expression of home-grown solutions, and its principled emphasis on peaceful diplomacy. Externally induced ripeness through the internationalization of the Zimbabwe intrastate democratization conflict since 2000 raised the public profile and strengthened the opposition MDCT, but it was a double-edged sword,²²⁴ which made regional mediation difficult.²²⁵ However, the role and interests of Western powers and their resort to coercive diplomacy seemed to undermine Pan-African diplomacy making it difficult to foster relations of trust between the conflict parties.

Ripeness sheds insight into the role of the mediator, from working with the conflict parties to craft the structure and direction of the negotiation process, fostering de-escalation through mutual concessions and resultant agreements to the need for a creative mediator capable of identifying, creating and manipulating a ripe moment by convincing the conflict protagonists of the imperative to negotiate.²²⁶ Drawing from talents and resonant skills, mediators can leverage their personal dexterity based on a range of attributes, regional political will and support to achieve peace and stability, including their closeness to the conflict, which enables a better understanding of the conditions of the conflict. Although the literature on conflict and mediation is densely dominated by Western paradigms of knowledge, recognising the diverse roles, skills and talents of mediators, it widens the room for diverse actors and approaches in mediation, diplomacy and pan-African diplomacy. Through pan-African diplomacy in general, and the SADC mediation in particular Africans played an important role in providing homegrown solutions by fostering peace, stability, and democracy in Zimbabwe, however, debatable the outcome.

²²⁴ Masunungure, E. V., and Badza, S. 2010. The Internationalization of the Zimbabwe Crisis: Multiple Actors, Competing Interests. *Journal of Developing Societies*, 26(2), pp. 207-231.

²²⁵ Steiner 2000.

²²⁶ Zartman, I. W. 2000. Ripeness: The Hurting Stalemate and Beyond. In: *Conflict resolution after the Cold War*, ed. P. C. Stern and D. Druckman, Washington, DC: National Academy Press. pp. 225–50.



2.4 Pan-African Regionalism

Regionalism entails the intentional politics of regional cooperation and the project through which states and non-state actors cooperate and coordinate strategies in a specific region to mutually foster political, economic, and governance cooperation.²²⁷ Pan African regionalism defines regionalism from the perspective of its endogenous drivers as historically evolutionary, as opposed to the external stimulus perspective, translating to the formation of the SADC, and other African regional organizations. As suggested by Hwang²²⁸ regionalism in the SADC took on a specific nature and character,²²⁹ which also influenced its regional governance agenda, structures, and regional type norms, including the extent to which liberal democratic norms were integrated and applied within the region. This also influenced the SADC regional mediation diplomacy, its outcomes, and implications.

Pan African regionalism rejects the notion of universal norms and values put forth by liberal institutionalists and emphasizes relativism and contestation of norms and values, based on African agency, historical experiences, and endogenous evolutionary norms. While embracing other ideas, Pan African regionalism integrates liberal democratic norms influenced by historical struggles for democracy in the SADC region. National sovereignty, self-determination, and a state-centric form of regionalism, seen as illiberal by liberal institutionalists, are viewed by SADC leaders as part of the evolutionary process towards democratization, aligning with (hence not contradictory to) regional aspirations to promote and protect democracy.

Liberal institutionalism posits that regional cooperation and integration are motivated by economic factors and liberal norms and values, which enhance mutual interdependence and reduce the costs of interstate competition.²³⁰ This perspective tends to favour universalistic liberal Western epistemic and policy viewpoints. In the case of the Southern African Development Community (SADC), regionalism was primarily driven by political objectives. Consequently, unity, shared developmental goals, incentives, interests, and aims were emphasized, with strong states playing a significant role. The origins of both the African Union

²²⁷ Fawcett, L. 2005. The Regionalism from a Historical Perspective, In M. Farrell, B. Hettne and L. Langenhove, (Eds.) *Global Politics of Regionalism*, Ann Arbor MI., Pluto Press, pp. 21-37.

²²⁸ Hwang, K.D., 2007. Constructing Politico-Security Regionalism in Southern Africa: The Case of SADC. *Journal of International and Area Studies*, pp.67-84.

²²⁹ Hwang, K.D., 2007. The Historical Evolution of SADC (C) and Regionalism in Southern Africa. *International Area Review*, 10(1), pp.55-72.

²³⁰ Keohane, R.O. and Nye, J.S., 1987. Power and interdependence revisited. *International organization*, 41(4), pp.725-753.



(AU), formerly known as the Organization of African Unity, and the SADC were shaped primarily by historical political identity and interests. This specific form of regionalism had a profound influence on the design and functioning of regional security institutions, including their structures and approaches. It fostered a strong sense of regional identity rooted in Pan-Africanism and employed regional mediation as a form of Pan-African regional diplomacy. Additionally, it drew upon African traditional practices, liberation movements, and alliances formed by liberation parties when establishing relations within the region. Consequently, SADC diplomacy is characterized by its state-centric nature, primarily driven by government actors or leaders. This explains the prominence of norms such as regional solidarity, national sovereignty, and self-determination.

Pan-African regionalism in the SADC aimed to establish a barrier against Western dependency and influence in the subregion. The regionalism observed in the SADC region embodies classical African regionalism rooted in Pan-Africanism, serving as a strategy for decolonization, anti-colonial and neo-colonial struggles, as well as African continental unity. As both a development cooperation and a community, the SADC demonstrated continuity and adaptation,²³¹ largely influenced by its inherent historical context and elite political ideologies, while also adapting to new realities by embracing liberal reforms. The explicit focus of regionalism in the SADC was on development cooperation grounded in Pan-African unity and an anti-colonial ethos, particularly emphasizing the need to foster national and regional sovereignty while asserting self-determination after achieving independence from colonial domination. This was achieved by pooling resources to promote and enhance intra-regional development.²³² Therefore, the process of liberal democratic reforms during the 1990s was driven by an adaptation centred on regional African agencies, influenced by regional historical continuities.²³³

Pan-Africanism exerted its influence on anti-colonial and liberation philosophies as an intellectual and political movement, seeking to advocate for a united Africa. The concept of Africa's oneness served as a common thread connecting the aspirations of people of African

²³¹ Abel, J.M. 2012. Reconsidering the Origins Southern African Regionalism Thirty Years Later: Towards a Constructivist Approach to the Origins of SADC, E-journal of International Relations, Vol. 3, Number. 2, pp.103-113.

²³² Abel, J.M. 2012. Reconsidering the Origins Southern African Regionalism Thirty Years Later: Towards a Constructivist Approach to the Origins of SADC, E-journal of International Relations, Vol. 3, Number. 2, pp.103-113.

²³³ Abel, J.S., 2012. Reconsidering the Southern African Regionalism Thirty Years Later, Towards a Constructivist Approach to the Origins of SADC, Ejournal of International Relations, Vol.3, Number 2, pp. 103-113.



descent across different parts of the world to their African heritage and sense of Africanness.²³⁴ Pan-Africanism united Africans through political movements, providing a broad common ideology and, in some cases, an organisational outlook with the goal of Africa's liberation and unity.²³⁵ It viewed Africa as their roots and home, associating the continent with its self-determination and freedom.²³⁶ Consequently, Pan-Africanism and nationalism fueled early forms of regional convergence, establishing the groundwork for the formation of organizations like the Organization of African Unity (OAU) and the SADC, which both strongly advocated for African unity and freedom. As an ideology, its underlying principles laid the foundation for advocating the self-determination of Africans²³⁷ and informed policies such as the African Renewal Agenda²³⁸ the New Partnership for Africa's Development (NEPAD),²³⁹ and, most importantly, provided momentum for regional institutional reforms during the late 1990s and early 2000s.

Prominent political leaders, academics, and Pan-Africanists articulated various streams of Pan-Africanism, shaping and influencing domestic and regional politics, particularly within the SADC region.²⁴⁰ Their perspectives influenced the modern understanding of regionalism as a means to achieve continental and regional unity, collective self-reliance driven by African agency. Thus, there was an emphasis on intra-regional cooperation, economic transformation, establishing an agenda, and diplomatic platforms to address African and regional development challenges, including conflict resolution through African regional diplomacy.²⁴¹ The ideological foundation of regional cooperation and integration in Africa, as well as its regional organizations, is evident in the Pan-African visions and series of treaties developed within the framework of the OAU and, more recently, the African Union (AU), the New Partnership for Africa's Development (NEPAD), and the reforms of regional organizations,²⁴² including adaptive regional reforms during the 1990s.

²³⁴ Wa Thiongo, N. 2009. *Something Torn and New: An African Renaissance*. Philadelphia: Basic Books.

²³⁵ Nkrumah, N. 1963. *Africa Must Unite*. New York : Praeger.

²³⁶ Fergus, C. 2010. *From Prophecy to Policy: Marcus Garvey and the Evolution of Pan-African Citizenship*.

²³⁷ Nkrumah, N. 1963. *Africa Must Unite*. New York : Praeger.

²³⁸ Mbeki, T. 1999. *African Renaissance: The New Struggle*. Johannesburg, Tafelberg Publishers.

²³⁹ Adesina, J.O.2004. NEPAD and the Challenge of Africa's Development: Towards the Political Economy of a Discourse, *Society in Transition*, Volume 35, Issue 1, pg. 125-144.

²⁴⁰ Malisa, M. and Nhengeze, P. 2018. Pan-Africanism: A Quest for Liberation and the Pursuit of a United Africa, *Genealogy* 2, 28, <https://www.mdpi.com/journal/genealogy>.

²⁴¹ Aniche, E.T. 2020. From Pan Africanism to African Regionalism: A Chronicle, *African Studies*, Vol. 79, No.1, pp. 70-87.

²⁴² Murithi, T.2005. *The African Union. Pan-Africanism, Peace-building and development*. Aldershot: Ashgate.



Critics of Pan-African regionalism argue that many ruling regimes and political leaders in Africa engage in "regime-boosting" regionalism, treating it as an end goal in itself.²⁴³ Regime-boosting regionalism involves participating in symbolic and discursive activities, praising the objectives of regionalism and regional organizations, signing cooperation treaties and agreements, and engaging in "summitry regionalism" without fulfilling the obligations that come with it. These critics suggest that these leaders lack commitment or willingness to implement jointly agreed policies established by these regional organizations.²⁴⁴ Consequently, they assert that regionalism is merely utilized as a rhetorical and image-enhancing exercise, with leaders demonstrating support and loyalty towards one another to elevate the status, image, and formal sovereignty of their often-authoritarian regimes, both domestically and internationally.²⁴⁵ These perspectives, predominantly associated with liberal democratic critics of SADC mediation in Zimbabwe, argue that regional mediation was futile. However, these views overlook the complexities within Pan-African regionalism and the SADC mediation process. A comprehensive understanding of the role of SADC mediation, its outcomes, and implications necessitates a more nuanced assessment that considers the broader context of Pan-African regionalism.

2.4.1 Regional Mediation as Pan-African Regional Diplomacy

Regional mediation refers to the involvement of regional organizations in settling conflicts through the use of regionally mandated third parties. In the context of Pan-African regional diplomacy, regional mediation recognizes the agency of African regional organizations, such as the SADC, and their institutions, as well as African statesmen, their ideas, norms, and historical practices, in providing homegrown solutions to domestic problems. Contrary to liberal institutionalist accounts of the Zimbabwe conflict,²⁴⁶ which predominantly advance external, Western-Eurocentric frames of analysis,²⁴⁷ Pan-African regional diplomacy sheds light on the

²⁴³ Bach, D. C. (2005) 'The global politics of regionalism: Africa', in M. Farrell, B. Hettne and L. van Langenhove (eds), *Global politics of regionalism. Theory and practice*. London: Pluto Press

²⁴⁴ Söderbaum, F. 2009. *Comparative Regional Integration and Regionalism*. In F. Söderbaum, *Comparative regional integration and regionalism* (pp. 477-496). SAGE Publications Ltd, <https://dx.doi.org/10.4135/9780857021083>.

²⁴⁵ Boas, M. 2003. 'Weak states, strong regimes: Towards a "real" political economy of African regionalization', in J. Andrew and F. Söderbaum (Eds.), *The new regionalism in Africa*. Aldershot: Ashgate.

²⁴⁶ Freeman, L., 2005. Contradictory Constructions of the Crisis in Zimbabwe. *Historia*, 50(2), pp.287-310.

²⁴⁷ Deleglise, D., 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In: T. McNamee and M. Muyangwa (eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham.



SADC mediation²⁴⁸ as a form of homegrown diplomacy that is informed by the African socio-historical and political context. It is driven by the interplay of domestic and regional dynamics, positioning regional leaders at the centre of the mediation process.

Pan-African regional diplomacy draws from various disciplines and ideas, including historical studies, African philosophy, African International Relations,²⁴⁹ and diplomatic studies. It encompasses notions of Pan-Africanism,²⁵⁰ decoloniality,²⁵¹ and Black Consciousness, all of which strive to place African agency at the core of mediation as a form of diplomacy rooted in African socio-historical and political experiences and practices. It invokes the historical,²⁵² indigenous,²⁵³ and contemporary experiences and expressions of broader African struggles, including the spirit and rhetoric of ubuntu.²⁵⁴ As an approach, it emphasizes the need to understand Africa within its historical context and the ongoing efforts to redefine the future of Africans by challenging their underrepresentation and misrepresentation in international relations, diplomacy, policy discourses, and interventions.²⁵⁵ Therefore, Pan-African regional diplomacy provides valuable insights into understanding the role, outcomes, and implications of the SADC mediation.

Pan-African regional diplomacy seeks to rectify the neglect of broader African diplomacy, calling for its recognition and acknowledgement as a legitimate field²⁵⁶ that has much to offer to international relations and diplomacy.²⁵⁷ Its key elements include self-representation, self-awareness, and the agency of Africans, which are exercised through the provision of African Solutions to African Problems (ASAP) based on an African agenda and values, as outlined in

²⁴⁸ Moma, J.A., 2012., Reconsidering the Origins of the Southern African Regionalism Thirty Years Later: Towards a Constructivist Approach to the Origins of SADC, *E-Journal of International Relations*, Vol. 3., Issue 2., pp. 103-113.

²⁴⁹ Lemke, D. 2003. African Lessons for International Relations Research, *World Politics*, Vol. 56, No. 1, pp. 114-138.

²⁵⁰ Ndlovu-Gatsheni, S.J. 2013. "Pan Africanism and the International System" in T. Murithi (Ed.), *Handbook of Africa's International Relations*, 21-29, London, Routledge.

²⁵¹ Zondi, S. 2016. A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice, *Southern Journal of Contemporary History*, Vol. 41, No.1. pp. 18-37.

²⁵² Adegbulu, F. 2011. Pre-colonial West African Diplomacy: Its Nature and Impact, *The Journal of International Social Research*, Volume. 4, Issue.18, pp. .

²⁵³ Adjaye, J.K. 1985. Indigenous African Diplomacy: An Asante Case Study, *The International Journal of African Historical Studies*, Vol. 18, No. 3, pp. 487-503.

²⁵⁴ Zondi, S. 2014. The rhetoric of ubuntu diplomacy and implications for making the world safe for diversity, *African Journal of Rhetoric*, Volume 6, Issue 1, pp. 103 – 14.

²⁵⁵ Ndlovu-Gatsheni, S.J. 2020. The cognitive empire, politics of knowledge and African intellectual productions: reflections on struggles for epistemic freedom and resurgence of decolonisation in the twenty-first century, *Third World Quarterly*, DOI: 10.1080/01436597.2020.1775487.

²⁵⁶ Zondi, S. 2016. A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice, *Southern Journal of Contemporary History*, *ibid*

²⁵⁷ Irwin, G.W. 1975. Precolonial African Diplomacy: The Example of Asante, *The International Journal of African Historical Studies*, Vol. 8, No. 1, pp. 81-96.



the goals to advance peace and good governance under the AU's Agenda 2063.²⁵⁸ It also unequivocally recognizes the often underestimated role of African statesmen and diplomats in shaping a peaceful domestic and global order.

Although Pan-African regional diplomacy incorporates liberal democratic principles, norms, values, and practices that are seen as possible and desirable among African societies, it also strongly upholds norms of national sovereignty, self-determination, and solidarity among African states and people.²⁵⁹ This diplomatic approach exhibits both the characteristics and norms of orthodox Eurocentric mediation associated with Track 1 diplomacy and the Afrocentric historical practices, knowledge, and norms that have been overlooked in the literature and practices of diplomacy until recently. However, in line with the pursuit of Africanization and decolonization of diplomacy, Pan-African regional diplomacy inherently situates regional mediation as the primary site for understanding African realities within the African context, aiming to analyse and explain Africa from within and develop homegrown solutions.²⁶⁰ It focuses on the role of African regional organizations, utilizing third parties such as the SADC, elder statesmen, and former heads of states from Africa. This diplomatic approach combines bilateral and multilateral, formal and informal institutions and norms, as well as political parties and personal relations rooted in historically shared experiences of colonial domination and the struggle for democracy, serving as channels for communication and regional diplomacy. The close bonds forged by many contemporary liberation leaders play a crucial role in formal and informal diplomatic communication and understanding, enabling dialogue.

The aim of Pan-African regional diplomacy is to seek and support peaceful conflict settlement and facilitate democratic transitions through dialogue and persuasion, with the understanding that the differences between the conflict parties are not insurmountable compared to their common national interests. Scholars such as Adejo,²⁶¹ Nanjira,²⁶² and Adegbulu²⁶³ argue that the idea of dialogue, cooperation, and persuasion emphasizes consensual democratic

²⁵⁸ Nwebo, O.E., 2018. The African Union agenda 2063 and the imperative of democratic governance. *Law and Development Review*, 11(2), pp.259-276.

²⁵⁹ Spies, Y.K. 2018. African Diplomacy, *The Encyclopaedia of Diplomacy*, in G. Martel(ed) John Wiley & Sons, Ltd.

²⁶⁰ Dastile, N.P.2013. Beyond Euro-Western Dominance: An African-centred Decolonial Paradigm, *Africanus* 43, 2, pp 93-104.

²⁶¹ Adejo, A. M. 2004. Traditional African Diplomacy and Conflict Resolution. *Journal of Cultural Studies*, 6(1), 134.

²⁶² Nanjira, D. D. 2010. *African Foreign Policy and Diplomacy from Antiquity to the 21st Century*, New York, ABC-CLIO.

²⁶³ Adegbulu, F. 2011. Pre-colonial West African Diplomacy: It's Nature and Impact. *Journal of International Social Research*, 4(18).



transitions and inclusive political accommodation, drawing on African methods of conflict resolution.²⁶⁴ Regionally mediated dialogue, mutually cooperative interparty negotiations, and accommodation form the fundamental pillars of Pan-African regional diplomacy.

The advantage of dialogue is that once it starts, it leaves minimal room for the conflict parties who believe themselves to belong and identify with the subregion to abort the diplomatic or mediation process without ostracizing themselves. This in itself, would equate to self-banishment from the family of African peer leaders and community, and is a major point of regional leverage and continued participation during mediation. There is a recognisable sense in which African and the SADC region states share and invoke the family identity rooted in shared historical experiences, particularly with regards to international issues.

Dialogue is arduous, time and resource consuming. However, dialogue opens a window of opportunity to settle any conflict by keeping the conflict parties engaged through mediators, seeking solutions even at the height of raging conflict. Fundamentally, Pan-African regional diplomacy is averse to the use of sanctions and military intervention to force the conflict protagonists into agreements or decisions, except under extreme conditions. Positive persuasion, mutual concessions, collaboration and cooperation, especially with the help of African mediators are viewed as better avenues to achieve durable peaceful solutions.²⁶⁵ The mutual commitment to common development aspirations fostered crosscutting empathy, mutual understanding and respect particularly towards elder statesman respected for their wisdom, experience and the authority. The respect that the mediators enjoyed from the rest of the members of the community, in this case the SADC subregion played an important role as political capital to convince the conflict protagonists towards proposed solutions.

Regional mediation as Pan-African regional diplomacy has its roots in African traditional diplomacy in which mediation was commonly performed by the extended family institution, uncles and or trusted senior friends as third-party peace brokers playing the role of facilitating dialogue, fostering cooperation, if not reconciliation.²⁶⁶ Its style, some substance and strategies, is rooted in facilitative dialogue, negotiations, formal and informal inclusive political

²⁶⁴ Nanjira, D. D. 2010. *African Foreign Policy and Diplomacy from Antiquity to the 21st Century*, New York, ABC-CLIO.

²⁶⁵ Huliaras, A. and Magliveras, K. 2016. *African Diplomacy*, C.M. Constantinou, P. Kerr, and P. Sharp (Eds.) *The Sage Handbook of Diplomacy*, London, Sage.

²⁶⁶ Adejo, A.M., 2004. Traditional African Diplomacy and Conflict Resolution. *Journal of Cultural Studies*, 6(1), p.134.



settlements and accommodation without resorting to coercion or humiliating condemnation, deriving from the ethics of African traditional societies in dealing with conflicts.²⁶⁷

Deriving from traditional practices of diplomacy, regional mediation is viewed as a continental-regional responsibility to assist not only a neighbour, but brothers and sisters. This is just not an idea, but a common practice where immediate neighbours will approach conflict parties with offers to assist them through mediation or recommend mediators to facilitate dialogue to foster cooperation in ending conflict.²⁶⁸ Conflict is viewed as disruptive to community progress, hence there are no winners in any conflict. Cooperation between parties is viewed as strengthening communities or nations by engendering progress and upliftment and improving livelihoods. The conflict parties are persuaded to cooperate for the sake of peace, development and engendering community stability and progress, more than their personal interests for gain or power. With respect to regional mediation, political stability is viewed as important to medium to long-term democratic installation.

The themes, norms and practices of African regional diplomacy range from Ubuntu, the quest for justice and equality in international relations, development, peace and end for all conflicts through diplomacy anchored in African solidarity, unity and integration.²⁶⁹ It further embraces traditional values, respect for cultural traditions and authority, proceeding through gradualist collective decision-making inclined towards consensual decision-making and prioritization of community over individuals in the spirit of Ubuntu, Harambee or working together.²⁷⁰

Mediation as Pan-African regional diplomacy advances an Africa-centred peaceful perspective which emphasize the agency of Africans, the importance of their historical experiences, self-understanding, the quest for self-determination and independence as sovereign beings and states.²⁷¹ As a concept, it links the aspirations of nationalism, Pan-Africanism and African continentalism as defining factors to the process of regionalization and regionalism in Africa, and the emergence, form and role of African sub-regions such as SADC in ending conflicts.

²⁶⁷ Nanjira, D. D. 2010. *African Foreign Policy and Diplomacy from Antiquity to the 21st Century*, New York, ABC-CLIO.

²⁶⁸ Nanjira, D. D. 2010. *African Foreign Policy and Diplomacy from Antiquity to the 21st Century*, New York, ABC-CLIO.

²⁶⁹ Spies, Y. K. 2018. *African Diplomacy*, *The Encyclopaedia of Diplomacy*, in G. Martel(ed) *ibid*.

²⁷⁰ Spies, Y. K. 2018. *Africa Diplomacy*, *The Encyclopaedia of Diplomacy*, in G. Martel(ed) *ibid*.

²⁷¹ Zondi, S. 2016. *A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice*, *Journal for Contemporary History*, Vol. 41, No. 1, pp. 18-37.



The struggle for independence and common historical experiences fostered a norm of regional solidarity which became a form of leverage in persuasive diplomacy and dialogue.²⁷² Pan African regional diplomacy emphasizes homegrown African regional agency and home-grown solutions, mutually led by the conflict protagonists themselves. It provides Afrocentric analysis to contemporary problems, drawing from precolonial and contemporary African diplomacy. In terms of approach, it relies on African leaders and statesman, providing solutions through organs of regional organizations based on consensual solutions and mutual cooperation amongst the mediators and the concerned conflict parties, in line with the mantra of African Solutions to African Problems (ASAP).

Pan-African regional diplomacy reflects the historical and ideological reclamation, self-awareness and assertiveness of Africans in dealing with their own problems in a world that is epistemologically, socio-economically and politically dominated by Western global hegemony.²⁷³ In that sense, Pan African conflict diplomacy challenges the historical oppression and marginalization of Africa,²⁷⁴ while emphasizing African agency, self-determination and sovereignty.

In contrast to liberal institutionalism which projects an outsider role of regional organizations to democratic transition, consolidation and conflict settlement forcing their preferences or coercively disseminating liberal democratic norms, we suggest that regional organizations like the SADC are insiders, which exercise multiple causal mechanisms drawing from both outside and inside the region informed by socio-historical and experiences, to influence both democratic transition and stability.²⁷⁵ As suggested by Wehr and Lederach, regional organizations belong to their regional organizations as insiders, directly affected by democratization conflicts within member states.²⁷⁶ Regional organizations have (a) superior knowledge of local conflicts, and strong incentives to resolve them, (b) proximity to a conflict, and ability to react faster, and (c) the ability to provide forums for formal and informal diplomatic discussions and dialogues.²⁷⁷

²⁷² Anyang Nyongo, P.A., 1995. Discourses on Democracy in Africa, in E. Chole and J. Ibrahim (Eds.) *Democratization Processes in Africa: Problems and Prospects*, Dakar, Codesria.

²⁷³ Zondi, S. 2016. A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice, *Southern Journal of Contemporary History*, Vol. 41, No.1. pp. 18-37.

²⁷⁴ Boutros-Ghali, B.1992. The Marginalization of Africa, *Mediterranean Quarterly* ,3. (1). Winter, pp.1-14.

²⁷⁵ Pevehouse, J.C.,2002. With a Little Help from My Friends? Regional Organizations and the Consolidation of Democracy, *American Journal of Political Science*, Vol. 46, No. 3, pp. 611-626.

²⁷⁶ Wehr, P. and Lederach, J.P., 1996. *Mediating Conflict in Central America*. Jacob Bercovitch (Ed.), *Resolving International Conflict: The Theory and Practice of Mediation*. Boulder: Lynne Rienner

²⁷⁷ Richard, J. and Tamara, D., 1996. Sharing the Burden of Peacekeeping: The UN and Regional Organizations. *Peacekeeping & International Relations* 25 (3), 4-7.

Regional organizations as insiders benefit from relations of historical political solidarity, formal and informal political ties amongst neighbours, including direct relations of mutual respect with neighbours. They are closely connected to the conflict at hand, have intimate knowledge about local conditions and involved factions, and therefore have a stake in the outcome.²⁷⁸ They are also at higher risk of the adversities of the conflict imploding into the sub-region or neighbouring states providing a major incentive to seek positive outcomes.²⁷⁹ These factors provided foundation of Pan-African regional diplomacy in the SADC executed through its organs and institutions, informed by norms of strong regional solidarity, shared historical political alliances and experiences amongst SADC member states which generated strong proclivity towards a sense of regional political identity rooted in strong ideas about national sovereignty, self-determination and regional political choice of regional mediation as a diplomatic strategic of choice in ending conflicts within the region.

The adoption, application and reinforcement of liberal norms and values is not seen as a universalising project, but is rather mediated through emerging strong sub regional norms, practices and ideas. In terms of their behaviour, African states and regional organizations assumed ownership of liberal democratic norms and values within the context of their historical, social and political context, subject to the agency of Africans and emerging ideas within African regional organizations. In this regard, Pan-African diplomacy challenges pervasive great power bias and egregious assertions of universalism in liberal institutionalism. It contests the tendency to overlook and exclude contemporary and pre-colonial African diplomacy in peace processes in Africa or to present it as an inherent anomaly.

2.5 Democracy and Democratisation

Democracy entails the choice of political leaders through a multiparty competitive system which upholds civil and political liberties.²⁸⁰ However, democracy and the mode or path of democratic transition does not consist of a single unique set of institutions since there are many types of democracy.²⁸¹ The specific form democracy takes and the prospects of democratic and political stability are influenced by a country's socio-economic conditions,

²⁷⁸ Elgstrom, O, Bercovitch, J and Skau, C. 2003. Regional Organisations and International Mediation: The Effectiveness of Insider Mediators, *African Journal on Conflict Resolution* Vol. 3, No. 1, pp.

²⁷⁹ Wehr, P. and Lederach, J.P., 1996. *Mediating Conflict in Central America*. Jacob Bercovitch (Ed.), *Resolving International Conflict: The Theory and Practice of Mediation*. Boulder, Lynne Rienner.

²⁸⁰ Schumpeter, J. A. 2013. *Capitalism, socialism and democracy*. London, Routledge.

²⁸¹ Schmitter, P.C. and Karl, T.L. 1991. What Democracy Is . . . and Is Not, *Journal of Democracy*. Johns Hopkins University Press, Volume 2, Number 3, pp. 75-88.



entrenched state structures and policy practices.²⁸² The contemporary practice of democracy, which has become common, derives from liberal institutionalism.²⁸³ Liberal institutionalists define democracy as competitive multiparty processes of choosing leaders.²⁸⁴ However, this conceptualization of democracy, particularly in its majoritarian form, has many problems associated with the many challenges of electoralism in fragile states,²⁸⁵ and violent elections conflict like in Zimbabwe, Kenya and other African countries.

We therefore embrace a nuanced maximalist perspective of democracy,²⁸⁶ permitting of interparty political competition and cooperation, broader political participation,²⁸⁷ political accommodation and power-sharing, negotiation and consensus which engenders inclusive pluralist cooperation beyond elections, and promotes political stability.²⁸⁸ Cooperation is important in a democratic system for peaceful and sustainable democratic installation, since political competition is inherently destabilising and sometimes conflictual. Informed by an eclectic definition of democracy cognisant of African democratic values, practices and democratic ideas, such an approach can provide a viable African perspective of democracy vested in African regional diplomacy to end conflicts, while facilitating democratic installation through regional mediation as a mode or path of democratic transition.²⁸⁹

While the minimalist view of democracy emphasizes regular elections, civil liberties, and political freedoms,²⁹⁰ a nuanced maximalist perspective suggest that elections are not sufficient for democracy, further arguing that authoritarian regimes which hold elections are not necessarily democracies.²⁹¹ By broadening factors for democratic transition and stability, to include issues of nationhood, broad based participation, the need to address economic conditions to allow for democratic stability, inclusive pluralist mechanism to foster cohesive belonging, it provides a flexible approach in tackling democratization conflicts.

²⁸² Schmitter, P.C. and Karl, T.L. 1991. What Democracy Is . . . and Is Not, *Journal of Democracy* Johns Hopkins University Press, Volume 2, Number 3, pp. 75-88.

²⁸³ Fukuyama, F. 2006. *The end of history and the last man*. Simon and Schuster.

²⁸⁴ Schumpeter, J. A. 2013. *Capitalism, socialism and democracy*. London, Routledge.

²⁸⁵ Olufemi, K., 1999. The Limits of Electoralism, *African Issues*, 27(1), pp.8-11.

²⁸⁶ Schumpeter, J. 1950. *Capitalism, Socialism and Democracy*, New York, Harper and Row

²⁸⁷ Dahl, R. 1971. *Polyarchy*, New Haven, Yale University.

²⁸⁸ Lijphart, A. 1969. Consociational Democracy, *World Politics*, Vol. 21, No. 2, pp. 207-225.

²⁸⁹ Fayemi, A.K. 2009. *Towards an African Theory of Democracy*, Institute of African Studies Research Review, Vol. 25, No. 1, pp.

²⁹⁰ Przeworsky, A. 1999. Minimalist Conception of Democracy: A Defence, in I. Shapiro and C. Hacker-Cordon (Eds.) *Democracy's Values*, Cambridge, Cambridge University Press.

²⁹¹ Levitsky, S. and Way, L.A., 2002. Elections without democracy: The rise of competitive authoritarianism. *Journal of democracy*, 13(2), pp.51-65.



Democratization refers to the process of change from variants of dictatorships and authoritarian rule towards democracy, characterized by processes of extension of citizenship and participation, elections, democratic procedures,²⁹² and democratic institutions which engender democratic practice, socialization and rule.²⁹³ As suggested by Karl and Schmitter, 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 competition and cooperation of their elected representatives.²⁹⁴

We recognize the historical context of the emergence of democracy in Africa, not as merely transplanted to Africa through the neo-liberal reform package of the 1990s or the, “Third Wave of Democratization.”²⁹⁵ Democracy in Africa is a result of endogenous anti-colonial political struggles for self-determination and independence; hence it should be responsive to broader national aspirations beyond the political.²⁹⁶

As noted by Ake, in the unique case of African democracy, the most important section of society are the domestic ordinary people who sought to improve their socio-economic prospects through the “second liberation”,²⁹⁷ either operating within the establishment or formations outside the incumbent, setting the people against the rulings class.²⁹⁸ Democratic elections are important to democracy, however, we should not overlook contradictory historical structural economic conditions which gave impetus to the domestic struggles for democratization, hence democratic transitions should address political and economic issues.

While the Schumpeterian definition of democracy has been praised for its simplicity and general applicability across diverse cultures, the resultant system has failed to foster democratic and political stability, particularly in post-colonial fragile states like Zimbabwe. The majoritarian, winner-take-all system has fostered authoritarian exclusionary conflictual politics

²⁹² Schumpeter, J.1950. *Capitalism, Socialism and Democracy*, New York, Harper and Row

²⁹³ Odonnell, G and Schmitter, P.C.1986. *Transitions from Authoritarian Rule, Tentative Conclusions about Uncertain Democracies*, London, The Hopkins Press.

²⁹⁴ Schmitter, P.C. and Karl, T.L. 1991. What Democracy Is. . . and Is Not, *Journal of Democracy* Johns Hopkins University Press, Volume 2, Number 3, pp. 75-88.

²⁹⁵ Huntington, S.P., 1993. *The third wave: Democratization in the late twentieth century*, Oklahoma, University of Oklahoma press.

²⁹⁶ Chole, E. and Ibrahim, J. 1992. *Democratization Processes in Africa, Problems and Prospects*, Dakar, Codesria

²⁹⁷ Ake, C.1993. The Unique Case of African Democracy, *International Affairs*, Vol. 69, No. 2, pp. 239-244.

²⁹⁸ Ake, C. 1991. Rethinking African Democracy, *Journal of Democracy*, Volume 2, Number 1, pp. 32-44.



amenable to political instability and major failure of democracy.²⁹⁹ The trickle-down model of economics associated with the minimalist state has deepened economic inequality, poverty and marginalization of the majority of populations,³⁰⁰ particularly in post-colonial African states like Zimbabwe where the economic colonial legacy still translates into rampant disproportionate economic participation, hence the weaponization of elections as intractable zero-sum existential contestation. Such a definition allows informed and balanced insights of the intrastate democratization conflict in Zimbabwe and the role, outcomes and implications of the SADC mediation within their historical contradictions.

2.6 The Transition Paradigm of Democratic Transition

The transition paradigm is probably the most dominant and widely debated explanation of democratic transitions since the Third Wave of Democracy.³⁰¹ This paradigm disproportionately dominates research on the Zimbabwe conflict and the SADC mediation, in spite of its limitations. The transition paradigm remains the primary historical term used to describe the political changes that typified what Samuel Huntington labelled the “Third Wave” of democratisation the worldwide birth of new democracies that has made democracy the most common political regime in the world today.³⁰² The paradigm has also been associated with democracy promotion by the US and the global West.³⁰³

The transition paradigm expresses significant steps of political change during democratic change from authoritarianism to democracy.³⁰⁴ Rustow,³⁰⁵ O'Donnell and Schmitter,³⁰⁶ Schumpeter,³⁰⁷ Rustow,³⁰⁸ Dahl,³⁰⁹ among others, suggest that democratic transition is

²⁹⁹ Melber, H., 2002. From liberation Movements to Governments: on Political Culture in Southern Africa. *African Sociological Review/Revue Africaine De Sociologie*, 6(1), pp.161-172.

³⁰⁰ Mhlanga, D. and Ndhlovu, E., 2021. Socio-economic and Political Challenges in Zimbabwe and the Development Implications for Southern Africa. *Journal of African Foreign Affairs*, 8(2), p.75.

³⁰¹ Huntington, S.P., 1993. *The Third Wave: Democratization in the Late Twentieth Century*, Oklahoma, University of Oklahoma press.

³⁰² Diamond, L., Fukuyama, F., Donald L. H., and Plattner, M.F. 2014. Reconsidering the Transition Paradigm, *Journal of Democracy*, Volume 25, Number 1, pg. 86-100.

³⁰³ Carothers, T., 2002. The end of the transition paradigm. *Journal of democracy*, 13(1), pp.5-21.

³⁰⁴ Nodia, G.2002. Debating the Transition Paradigm: The Democratic Path, *Journal of Democracy*, Volume 13, Number 3, pp. 13-19.

³⁰⁵ Rustow, D. A. 1970. Transitions to Democracy: Toward a Dynamic Model, *Comparative Politics*, Vol. 2, No.3., pp. 337-363.

³⁰⁶ O'Donnell, G. and Schmitter, P.C. 1986. *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore, Johns Hopkins University Press.

³⁰⁷ Schumpeter, J.1950. *Capitalism, Socialism and Democracy*, New York, Harper and Row

³⁰⁸ Rustow, D. A. 1970. Transitions to Democracy: Toward a Dynamic Model, *Comparative Politics*, Vol. 2, No.3., pp. 337-363.

³⁰⁹ Dahl, R. 1998. *On Democracy*, Yale University Press.



characterised by a change of government or change of regime from authoritarian or autocratic rule to a democratic regime.³¹⁰ Democratic transition is a process of political change,³¹¹ which entails the fall and replacement of an authoritarian regime (the old regime) with a democratic one, or some new regime.³¹² Democratic transitions are delimited from the time of the dissolution of an authoritarian regime, following a particular mode or path of political change, ending with the installation of some form of democracy.

Democratic transition entails a process of political reforms, liberalization, to enshrine political reforms, constitutional reform, civic and political liberties, followed by the holding of free competitive multiparty elections.³¹³ Elections are held under the democratic method as the institutional arrangements for reaching at political decisions under which individuals, political elites and parties acquire political power to make governmental decisions.³¹⁴ To varying degrees, democratic competition should embrace open broad suffrage and peaceful, tolerant and inclusive citizen participation, respect for basic civil liberties such as freedom of the press, expression, speech and association. Democracy embraces competitive popular elections as the principal route to executive and legislative office, without electoral fraud, coercion (including by military actors and institutions) and gerrymandering as determinants of democratic electoral the outcomes.³¹⁵

Political liberalization entails the introduction of political reforms, which could be negotiated as the pathway for the old regime to recant. Such reforms include (constitutional) free and fair political competition,³¹⁶ introduction and respect to rule of law, civil and political liberties, freedoms of association and expression, respect for human rights in a manner which permits political participation through adult franchise are then introduced.³¹⁷ Political liberalization should be followed by founding genuine democratic elections, which produce acceptable

³¹⁰ Schmitter, P.C. and Karl, T.L. 1994. The Conceptual Travels of Transitologists and Consolidologists: How Far to the East Should They Attempt to Go? *Slavic Review*, Spring, 1994, Vol. 53, No., pp. 173-185.

³¹¹ O'Donnell, G., Schmitter, P., and Whitehead, P. 1986. *Transitions from Authoritarian Rule*, London, The Johns Hopkins.

³¹² O'Donnell, G., Schmitter, P., and Whitehead, P. 1986. *Transitions from Authoritarian Rule*, London, The Johns Hopkins.

³¹³ Schumpeter, J. 1950. *Capitalism, Socialism, and Democracy*, New Haven, Yale University Press.

³¹⁴ Schumpeter, J. 1950. *Capitalism, Socialism, and Democracy*, New Haven, Yale University Press.

³¹⁵ Berglund, C and Berglund, S. 2017. Feckless Pluralism, *The SAGE Encyclopaedia of Political Behaviour*, pp. 295–296., <http://urn.kb.se/resolve?urn=urn:nbn:se:uu:diva-316594>, viewed 20 December 2020.

³¹⁶ Rustow, D. A. 1970. *Transitions to Democracy: Toward a Dynamic Model*, *Comparative Politics*, Vol. 2, No.3., pp. 337-363.

³¹⁷ Odonnell, G. and Schmitter, P. C. 1986. *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore, The Johns Hopkins University Press.



legitimate results marking the end of the democratic transition and the beginning of democracy,³¹⁸ from which democratic consolidation should follow. Elections strengthen democratic institutions, broaden and deepen political participation and democratic accountability; hence the institutionalization of elections is sufficient for democratic change and consolidation.³¹⁹ However, liberalization might continue without necessarily leading to democratic installation.

Democratic transition is a deliberate voluntary choice amongst political elites based on their preferences, choices, behaviour and strategies.³²⁰ This provides a genetic theory of democratic transition based on “contingency”, “structural indeterminacy” and “elite strategic choices” during a dynamic process of democratic change.³²¹ Thus, the transition paradigm provides a theoretically and empirically relevant and useful approach for the analysis of democratic transitions in “unfertile terrains,” like much of African countries.³²² Early Western democratisation scholars deemed democracy to be impossible in African polities, as they lacked the necessary structural conditions for sustainable democratic installation.³²³

The transition paradigm therefore shifts the theoretical focus in the study of democratic transitions from an approach exclusively centred on prerequisites for democracy,³²⁴ to a contingent, strategic actor centred paradigm,³²⁵ and from a gradualist and evolutionary approach centred on structuralism, modernization and socio-economic determinism,³²⁶ capitalist economic development,³²⁷ the role of socio-cultural institutions which accounted for democratization in early Western democratizers, to the establishment of democracy as a

³¹⁸ Odonnell, G. and Schmitter, P. C. 1986. *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore, The Johns Hopkins University Press.

³¹⁹ Rose and Shin. 2001. *Democratization Backwards: The Problem of Third-Wave Democracies*, *British Journal of Political Science*, Vol. 31, No. 2, pp. 331-354.

³²⁰ Rustow, D. A. 1970. *Transitions to Democracy: Toward a Dynamic Model*, *Comparative Politics*, Vol. 2, No.3., pp. 337-363.

³²¹ Rustow, D.A. 1970., "Transitions to Democracy: Toward a Dynamic Model," *Comparative Politics*, 2, pp.345.

³²² Richard, J. 1997. *Democratization in Africa after 1989 Comparative and Theoretical Perspectives*, *Comparative Politics*, Vol. 29, No. 3, *Transitions to Democracy: A Special Issue in Memory of Dankwart A. Rustow*, pp. 363-382.

³²³ Richard, J. 1997. *Democratization in Africa after 1989 Comparative and Theoretical Perspectives*, *Comparative Politics*, Vol. 29, No. 3, *Transitions to Democracy: A Special Issue in Memory of Dankwart A. Rustow*, pp. 363-382.

³²⁴ Moore, B. 1967. *The Social Origins of Dictatorship and Democracy*, Harmondsworth, The Penguin Press.

³²⁵ Rustow, D. A. 1970. *Transitions to Democracy: Toward a Dynamic Model*, *Comparative Politics*, Vol. 2, No.3., pp. 337-363.

³²⁶ Lipset, S.M.1959." *Some Social Requisites of Democracy: Economic Development and Political Legitimacy*". *American Political Science Review* 53, pp. 69-105.

³²⁷ Almond, G. A. and Verba, S.1963. *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton, Princeton University Press.



choice by citizens and critical power brokers.³²⁸ However, it is increasingly apparent that while structural factors may not be deterministic, they affect democratic transitions.

Although the transition paradigm allows for the analysis of the role of key actors and their strategic choices during democratic transitions focussing on ³²⁹ “virtue,” which is defined as the talents and exemplary behaviour, preferences and choices of key elites, interparty bargaining and the contingent events and occurrences,³³⁰ it does not provide means out of democratization conflict. Democratic transitions are characterised by uncertainty and open-ended outcomes, with possibilities of plunging into violence, relapse and democratic regression.³³¹ The strategic decisions of political elites at critical moments or junctures and in particular during crucial spheres of policy choice are very important to the eventual outcome of democratic transitions. However, as evidenced in the Zimbabwe conflict, political elites could be equally locked in escalated intrastate democratization conflict, plunging the country into political instability and cyclical election violence. In some cases, political liberalization itself is subjected to violent rivalry which fuels aggravated elections rivalry as experienced in Zimbabwe between 2000 and 2013.

There are a range of concerns with the transition paradigm ranging on the failure to account for failed transitions,³³² the emergence of grey zones,³³³ feckless pluralism³³⁴, hybrid regimes³³⁵ and the emerging wave of democratic rollback, authoritarian rule, autocratization,³³⁶ and electoralism.³³⁷ While there are cases of problematic democratic transitions which led to

³²⁸ Almond, G. A. and Verba, S.1963. *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton, Princeton University Press.

³²⁹ Odonnell, G. and Schmitter, P. C.1986. *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, Baltimore, The Johns Hopkins University Press.

³³⁰ Odonnell, G. and Schmitter, P. 1986. *Tentative Conclusions About Uncertain Democracies*, Baltimore, Johns Hopkins University Press.

³³¹ Odonnell, G.2002. *Debating the Transition Paradigm*, In *Partial Defence of an Evanescent “Paradigm,” Journal of Democracy*, Volume 13, Number 3, July 2002, pp. 6-12.

³³² Carothers, T., 2002, ‘The End of the Transition Paradigm’, *Journal of Democracy*, vol. 13, no. 1. pp.5-20.

³³³ Berglund, C and Berglund, S.2017. *Feckless Pluralism*, *The SAGE Encyclopaedia of Political Behavior*, pp. 295–296., <http://urn.kb.se/resolve?urn=urn:nbn:se:uu:diva-316594>, viewed 20 December 2020.

³³⁴ Borgaards, M. 2009. *How to Classify Hybrid Regimes? Defective Democracy and Electoral Authoritarianism*, *Democratization*, Volume 16, Issue 2, pp. 399-423.

³³⁵ Carothers, T., 2002, ‘The End of the Transition Paradigm’, *Journal of Democracy*, vol. 13, no. 1. pp.5-20.

³³⁶ Berglund, C and Berglund, S.2017. *Feckless Pluralism*, *The SAGE Encyclopaedia of Political Behavior*, pp. 295–296., <http://urn.kb.se/resolve?urn=urn:nbn:se:uu:diva-316594>, viewed 20 December 2020.

³³⁷ Carothers, T., 2002, ‘The End of the Transition Paradigm’, *Journal of Democracy*, vol. 13, no. 1. pp.5-20.



the emergence of democratic “grey zones”³³⁸ “democracy with adjectives”³³⁹ “feckless democracies,” hybrid regimes,³⁴⁰ electoralism,³⁴¹ competitive electoralism,³⁴² feckless pluralism, dominant-power politics,³⁴³ and regimes falling short of democracy, these cases are less a reflection of the irrelevance of the transition paradigm than evidence of the practical challenges facing democratic transitions, particularly with elections in authoritarian regimes in African countries. Although the transition paradigm provides a coherent framework of democratic transitions, it is limited in providing a path out of democratization conflict. Given its aspirations to provide a universal theory of democratic transition, it lacks nuance in dealing with democratic transition in diverse societies, and fragile, socially and ethnically divided states.

The transition paradigm is a majoritarian concept of democracy, which allows the winning political parties and actors into power³⁴⁴ while excluding the losers. Exclusionary, winner-take-all politics undermine democratic pluralism and participation, particularly for policy making, and distribution of public resources hence a cause of conflicts. The threat of exclusion or marginalization until the next elections pushes political parties into the intractable zero-sum political competition, sometimes resorting to violence to force themselves into power.

We therefore draw from both the transition paradigm and consociationalism,³⁴⁵ to advance a concept of democracy that includes democratic elections, political pluralism and participation at the level of political competition, and power sharing and political accommodation at the level of government. In the case of violent conflict, consociational approaches are applied during mediation, in our case regional mediation, to foster political stability and peaceful inclusive democracy.³⁴⁶ The role of elections is not simply to elect the winning faction to rule but to distribute power amongst the competing political formations to broaden political participation

³³⁸ Bogaards, M. 2009. How to classify hybrid regimes? Defective democracy and electoral authoritarianism, *Journal of Democratization*, Volume 16, Issue 2, Pages 399-423.

³³⁹ Collier, D. and Levitsky, S. 1997. Democracy with Adjectives: Conceptual Innovation in Comparative Research, *World Politics*, Volume 49, Issue 3, pp. 430-451.

³⁴⁰ Diamond, L. 2002. Elections Without Democracy: Thinking About Hybrid Regimes, *Journal of Democracy*, Volume 13, Number 2, pp. 21-35.

³⁴¹ Van Ham, C. 2009. Beyond Electoralism? Electoral fraud in third wave regimes, 1974-2009, European University Institute, PhD Thesis, <https://cadmus.eui.eu/>, viewed 19 November 2019.

³⁴² Levitsky, S. and Way, L.A. 2010. Competitive authoritarianism: Hybrid regimes after the Cold War, New York, Cambridge University Press.

³⁴³ Nodia, G. 2002. Debating the Transition Paradigm: The Democratic Path, *Journal of Democracy*, Volume 13, Number 3, pp. 13-19.

³⁴⁴ O'Donnell, G., Schmitter, P., and Whitehead, P. 1986. Transitions from Authoritarian Rule, London, The Johns Hopkins.

³⁴⁵ Lijphart, A. 1969. Consociational Democracy, *World Politics*, Vol. 21, No. 2, pp. 207-225

³⁴⁶ Kabanda, U., 2012. Consociational Democracy in Africa. *American Academic Scientific Research Journal for Engineering, Technology, and Sciences*, 2(1), pp.1-14.



and representation.³⁴⁷ The consociational approach to democracy addresses democratization conflict, including election deadlocks, providing pathways and mechanisms out of such conflict through proportional representation and political accommodation,³⁴⁸ which resonates with regional mediation. It also addresses other societal cleavages which feed into and amplifies violent election deadlocks, thus helping in forging political stability.

Given that processes of political change or transitions are fluid and violently contested, political accommodation reduces violent zero-sum rivalry by turning it into dialogue and negotiations towards a mutually agreed political settlement. The transition paradigm helps to analyse the breakdown of democracy, and progress towards democratic change by clarifying procedures and standards of democracy. Where the transition paradigm is internally limited in terms of providing mechanisms for exit out of cyclical protracted elections-related conflict, this research links the transition paradigm to the consociational approach which simultaneously provides mechanisms for political stability, peace and democratic installation, with regional mediation and diplomacy as the main mode or path of democratic transition.

2.7 Beyond the Transition Paradigm: Regional Mediation as Mode and Path of Democratic Transition

The mode or path of democratic transition sheds insight into the trajectory and dynamics of the process of democratic transition by identifying the key actors or the involved political factions and their strategies.³⁴⁹ The key conflict protagonists in the Zimbabwe conflict were ZANU PF, led by Mugabe, and the divided two main MDC formations led by Tsvangirai and Ncube respectively.

Furthermore, modes of democratic transition distinguish the path of the transition, identifying who initiated the transition process, the strength of the contesting groups and the extent to which the relevant groups are established, and how long the transition lasted.³⁵⁰ Regional mediation as a path of democratic transition reshapes the form of transitional politics from

³⁴⁷ Kabanda, U., 2012. Consociational Democracy in Africa. *American Academic Scientific Research Journal for Engineering, Technology, and Sciences*, 2(1), pp.1-14.

³⁴⁸ Kabanda, U., 2012. Consociational Democracy in Africa. *American Academic Scientific Research Journal for Engineering, Technology, and Sciences*, 2(1), pp.1-14.

³⁴⁹ Mainwaring, S.1989. *Transitions to Democracy and Democratic Consolidation: Theoretical and Comparative Issues* (No. 130). University of Notre Dame, Helen Kellogg Institute for International Studies.

³⁵⁰ Mainwaring, S.1989. *Transitions to Democracy and Democratic Consolidation: Theoretical and Comparative Issues* (No. 130). University of Notre Dame, Helen Kellogg Institute for International Studies.



hostile violent contestation to dialogue, negotiation and political accommodation through power-sharing taking advantage of the critical moments of the conflict, its ripeness, generated and driven through consolidated sustained dialogue.

The manner of the transition from the authoritarian regime and the degree of accommodation, confrontation and polarised division between prodemocracy actors and defenders of the old order regime, influences the outcome of democratic transition.³⁵¹ Regional mediation bridges violent conflict, pushing the parties towards non-confrontational politics of engagement through dialogue. Accordingly, it changes the tactics, strategies, actions and choices of the conflict protagonists, as guided through regional mediation and diplomacy. The role of regional diplomacy is to moderate the changing dynamics and manner of control that the incumbent regime and the opposition exert over each other, and the process of transition towards a stable peaceful equilibrium conducive for political stability and democratic installation by encouraging the conflict protagonists to play according to the political rules of the game in fostering durable political reforms.

Different paths to the democratic transition have different effects to the democratic transition process, institutions and outcomes.³⁵² Regional mediation as a mode of transition falls under negotiated pacts which are dominated by elite agreements. The key elements of regional mediation as a mode of democratic transition are to lock the conflict parties into dialogue and negotiations, conflict transformation, political settlement and reforms, political accommodation, power sharing and interparty cooperation through inclusive institutions of government paving the way for political reforms and democratic installation. A regionally mediated transition proceeds within the pre-set legal framework or agreements on institutional reforms and policies with agreements between the incumbent regime and the opposition.³⁵³

The mode of transition is characterized by uniquely fluid processes of political contestation defined by the identity of regime challengers and their strategies in contesting the old regime, hence it is important to understand who makes and how they make such transitions to happen,³⁵⁴ or fail. As insiders, the mediators, identify and distinguish the identity and actions

³⁵¹ Linz, J.J., and Stepan, A. 1996. Problems of Democratic Transition and Consolidation Southern Europe, South America and Post-Communist Europe, Baltimore, Johns Hopkins University Press.

³⁵² Stradiotto, G.A., and Sujian, G.2010. Transitional Modes of Democratization and Democratic Outcomes, International Journal on World Peace, Vol. 27, No. 4, pp. 5-40.

³⁵³ Linz, J.J., and Stepan, A. 1996. Problems of Democratic Transition and Consolidation Southern Europe, South America and Post-Communist Europe, Baltimore, Johns Hopkins University Press.

³⁵⁴ Share, D. 1987. Transitions to Democracy and Transition through Transaction, Comparative Political Studies, Vol 19, Issue 4, pp. 525-548.



of the primary agents of change, the counter elites and their opponents, the incumbent political elites within the established structure of power.

Regional mediation as a mode of democratic transition influences the level of inclusive participation during dialogue and negotiations. The character of the agreed political settlement, maybe inherently unstable, hence regional mediation continuously ensures that the agreement is not aborted. Democratic reform may also be limited if the old regime actors such as the military, the partisan judiciary and pro-incumbent regime networks of clientelism retain much control of the formal and informal sources of political power, particularly if they use it to undermine the ability of political actors and institutions to further democratic reform.³⁵⁵ It becomes the role of regional mediation to ensure that centres of influence and power outside the mediation process do not derail the process of democratic transition.

The nature and extent of internal elite divisions within the conflict parties, the intra-party divisions between hardliners and soft-liners and the causal factors of such divisions affect the extent to which such cleavages could be bridged to create a solid pro-reform cross partisan faction, rendering momentum and impetus for political change.³⁵⁶ Inter party convergence amongst the pro-reform factions could culminate in agreements on common set of rules designed to reduce the intrinsic uncertainty of the transition, while preventing the reform process from being captured and reversed by the more extreme political elements within the ruling regime or the opposition.³⁵⁷

Regionally mediated political dialogue concludes with formal and informal political compromises and settlement of conflict, with agreements on power sharing, political accommodation and consociational mechanisms which lead to the founding of democratic elections.³⁵⁸ The terms of conflict settlement could include mutual commitments to end, avoid and manage (use) of violence, parameters regulating intervention by outsiders which is not encouraged, agreements to share offices and to make (or not make) policies according to some pre-established and usually proportional arrangements, varied levels and types of transitional justice, and amnesty with regard to crimes committed under the previous autocracy, constitutional and electoral reforms.³⁵⁹

³⁵⁵ Hagopian, F. 1990. "Democracy by Undemocratic Means"? Elites, Political Pacts, and Regime Transition in Brazil, *Comparative Political Studies*, Vol 23, Issue 2, pp. 147-170.

³⁵⁶ Linz, J.J. 1990. "Transitions to Democracy" *The Washington Quarterly*, Vol 13, Issue 3, pp.143-164.

³⁵⁷ Linz, J.J. 1990. "Transitions to Democracy" *The Washington Quarterly*, Vol 13, Issue 3, pp.143-164.

³⁵⁸ Linz, J.J. 1990. "Transitions to Democracy" *The Washington Quarterly*, Vol 13, Issue 3, pp.143-164.

³⁵⁹ Lijphart, A. (1969). *Consociational Democracy*. *World Politics*, 21(2), 207-225. doi:10.2307/2009820



The content of such foundational agreements varies depending on various factors, for example according to the type of the incumbent regime, whether it is a military autocracy or some other type and the level of control it still wields at the time of the transition. Although such agreements mainly involve the political elites, such elites should command legitimate support from their constituencies, and be capable of delivering compliance of their members and followers on the agreed terms of the emerging political settlement.³⁶⁰ Democratic transition progresses as an initiative of the facilitators of the mediation, and the reformist ruling elite acting in collaboration with the opposition to produce mutually agreed and supported agreements.³⁶¹

Regionally mediated-negotiated political agreement are feasible, and efficacious in facilitating political compromises and political settlements.³⁶² They present crucial prospects to end intra-party democratization violence, and facilitating cooperative institutionalization of rules for political competition and accountability, based on power sharing. Through regional mediation, regional organizations facilitate dialogues, bridges political polarization and ensures political confidence in the process by providing guarantees to the process of mediation, interparty agreements and the implementation of agreements, driving political reform based on a roadmap towards new elections.³⁶³ Political reforms are outcomes of mutual interparty dialogue and their implementation rests with the cooperation of all parties, as well the mandate, leverage and legitimacy of the regional organization to keep the parties engaged and committed to the full implementation of the regional mediation processes and agreements. The reform agenda is constituted by civil and political issues, human rights, transitional justice, pathways towards new elections, including historical structural issues, although issues which are too delicate maybe excluded from the agenda.³⁶⁴ The end of political repression and shifting interparty relations towards dialogue insulates political competition from reversion to

³⁶⁰ Collier, R.B and Mahoney, J. 1997. Adding Collective Actors to Collective Outcomes: Labor and Recent Democratization in South America and Southern Europe, *Comparative Politics*, Vol. 29, No. 3, *Transitions to Democracy: A Special Issue in Memory of Dankwart A. Rustow*, pp. 285-303.

³⁶¹ Linz, J.J. 1990. "Transitions to Democracy" *The Washington Quarterly*, Vol 13, Issue 3, pp.143-164

³⁶² Huntington, S. 1991. *The Third Wave: Democratization in the Late Twentieth Century*, Norman, University of Oklahoma, pp 126-128.

³⁶³ A Stepan. 1986. "Path Towards Re-democratization: Theoretical and Comparative Reconsiderations" in G O' Donnell, P C Schmitter and L Whitehead (eds). 1986. *Transitions from Authoritarian Rule: Comparative Perspectives*. Vol 3, Baltimore and London: Johns Hopkins University Press, pp.85-107

³⁶⁴ A Stepan. 1986. "Path Towards Re-democratization: Theoretical and Comparative Reconsiderations" in G O' Donnell, P C Schmitter and L Whitehead (eds). 1986. *Transitions from Authoritarian Rule: Comparative Perspectives*.



authoritarianism,³⁶⁵ while the reform process ends when authoritarian governments are forced to yield power, replaced by a new democratic regime,³⁶⁶ or an inclusive political settlement.

2.8 Conclusion

By drawing from both liberal institutionalism and constructivism this research takes a conceptually eclectic approach beyond the singular dominants of liberal institutionalism in the study of the Zimbabwe conflict and the SADC mediation. Embracing mediation as Pan-African regional diplomacy is a conceptual innovation which accounts for the agency of Africans in mediation and democratic transition. Given the partisan and biased dominance of liberal institutionalism in the study of the SADC mediation, constructivism provides important balanced insights into understanding the role, outcomes and implications of the SADC mediation in Zimbabwe.

³⁶⁵ Ackerman, P. 2007. How Freedom is Won. Conference on Democracy and Security sponsored through Freedom House. Czernin Palace, Czech Republic June 5–6. Babst, D.V. 1972. A Force for Peace. *Industrial Research*: 14.

³⁶⁶ Haggard, S. and Kaufman. R.R. 1995. *The Political Economy of Democratic Transitions*, New Jersey, Princeton University Press.



CHAPTER 3: BACKGROUND TO THE BREAKDOWN OF THE DEMOCRATISATION PROCESS IN ZIMBABWE

3.1 Introduction

This chapter discusses the development of Zimbabwe's intractable intrastate democratization conflict locating the contradictions into their haunting historical legacy. The simultaneously overlapping historical legacy of colonial rule, the coercive liberation struggle and democratic contest rivalry was at the heart of the Zimbabwe conflict. Much of the literature on the Zimbabwe conflict predominantly draws from liberal institutionalism, particularly the transition paradigm.³⁶⁷ Liberal institutionalists suggest that the Zimbabwe conflict was rooted on the failure of democratic rule, rule of law and property rights, while highlighting its consequences in the language of humanitarianism and the responsibility to protect(R2P). While this perspective sheds insight into some of the conflictual contradictions of the conflict, it falls short of wholistic approach addressing broader problems based on Pan African regional views to the conflict, which influenced the SADC mediation. While the inherent normative biases and partisanship rendered liberal democratic scholarship limited in understanding the deep structural complexities of the Zimbabwe conflict, the democratic deficit discussed are largely rooted and reinforced by the simultaneous authoritarian legacies of racists settler rule, the coercive liberation struggle, which mutated into repressive post -rule. This chapter traces the Zimbabwe conflict locating the 2000s conflict into its historical contradictions, suggesting a wholistic approach to the SADC mediation, responsive to the dynamic intertwined triple trends of colonial, post-colonial structural violence and contemporary democratic deficits.

3.2 Interstate Democratisation Conflict: Defining the Zimbabwe Conflict

Many studies of democratic transition and the SADC mediation in Zimbabwe define intrastate democratization conflict as a crisis, hence the Zimbabwe crisis.³⁶⁸ The use of the term Zimbabwe crises by such scholars as Ndlovu-Gatsheni, Sachikonye,³⁶⁹ Raftopoulos and Phimister³⁷⁰ amongst others is too broad and heavily draws from the transition paradigm and

³⁶⁷ O'Donnell, G., Schmitter, P.C, and Whitehead, L. 1986. *Transitions from Authoritarian Rule*, Vol. 4: Tentative Conclusions about Uncertain Democracies, Baltimore, Johns Hopkins University Press.

³⁶⁸ Ndlovu-Gatsheni, S. J.2003. Dynamics of the Zimbabwe Crisis in the 21st Century. *African Journal on Conflict Resolution*, 3(1), pp.99-134.

³⁶⁹ Sachikonye, L. M. 2002. Whither Zimbabwe? Crisis and democratisation. *Review of African political economy*, 29(91), pp. 13-20.

³⁷⁰ Raftopoulos, B., & Phimister, I. 2004. Zimbabwe now: The political economy of crisis and coercion. *Historical materialism*, 12(4), pp.355-382.



liberal institutionalism, which inherently downplays pan African diplomacy, continental and regional efforts to seek home-grown peaceful solutions, hence it sheds limited insight into the Zimbabwe conflict and the SADC mediation. The Zimbabwe crisis literature fails to locate the crisis as complex conflicting goal incompatibility in the context of deep contradictions, glossing over the causes, nature and scope of the polarised conflict and the parties to the conflict by mainly focusing on providing a delegitimising critique to the incumbent ZANU PF regime during the conflict. Indeed, the focus on the Zimbabwe crisis functionally invoked moral justification towards liberal institutional pro-democratic interventions in the Zimbabwe conflict, offering comprehensive descriptions of the complex multiple layers of the crisis centred on the pursuit of certain objectives or the failure to satisfy the demands made by different actors and citizens by the government.³⁷¹

For the purpose of this research, we define the Zimbabwe crises as intrastate democratization conflict. Although conflict is ubiquitous to human society, it has elicited extensive definitional ambiguity and disagreement amongst scholars. We define intrastate democratization conflict as undemocratic violently antagonistic contestation for control of the state and government, over incompatible claims to resources, power, values, goals and objectives, involving the government, and within a sovereign state, where the incompatibility of goals structures such violent conflict.

Our definition of conflict heavily draws from Bercovitch,³⁷² Mitchell,³⁷³ Bins, Dixon and Nel,³⁷⁴ Webel and Johansen,³⁷⁵ Ramsbotham, Woodhouse and Miall,³⁷⁶ Sarkees, Waymann and Singer,³⁷⁷ and Galtung³⁷⁸ who posit that conflict takes place in a situation of social interaction between two or more parties, however structured or defined, competing over scarce resources, objectives or values under conditions of goal incompatibility, resulting in mutually antagonistic interactions,³⁷⁹ or engaging in behaviour which is mutually incompatible by expanding efforts

³⁷¹ Sachikonye, L. M. 2002. Whither Zimbabwe? Crisis and democratisation. Review of African political economy, 29(91), pp. 13-20.

³⁷² Ndlovu-Gatsheni, S. J. 2003. Dynamics of the Zimbabwe Crisis in the 21st Century. African Journal on Conflict Resolution, 3(1), pp. 99-134.

³⁷³ Mitchell, C.R.1981. The Structure of International Conflict, London: Macmillan.

³⁷⁴ Bins, T., Dixon, A. and Nel, E.2012. Africa; Diversity and Development. London: Routledge

³⁷⁵ Webel, P.C. and Johansen, J. (Ed). Peace and Conflict Studies. A Reader, London: Routledge

³⁷⁶ Ramsbotham, O., Woodhouse, T. and Miall, H. 2011. Contemporary Conflict Resolution, 3rd Edition, Cambridge: Polity Press.

³⁷⁷ Sarkees, M.R., Wayman, W.F. and Singer, D.J. 2003. Inter-state, Intra-state, Extra-state wars: A Comprehensive Look at Distribution Overtime, 1816-1997, International Studies Quarterly, 47(1), pp. 49-70

³⁷⁸ Galtung, J. 1969. Violence, Peace and Peace Research, Journal of Peace, 6(3), pp. 167-191.

³⁷⁹ Bercovitch, J. 1983. Conflict and conflict management in organizations: A framework for analysis. Hong Kong Journal of Public Administration, 5(2), pp. 104-123.



to prevail over their opponents. The concomitant mutually antagonistic perceptions and behaviours amongst the conflict parties are conditioned by such goal incompatibility,³⁸⁰ hence mutually antagonistic attitudes and behaviours are important to understanding conflict.³⁸¹

Such an approach sheds insight into the causes and phases of a conflict allows gestation, escalation manifesting in violent conflict,³⁸² and the conflict phase, including phases of the processes of regional mediation and their implications for political stability and democratization. The scope of the conflict entails the analysis of the causes of the conflict, its manifestations, and effects. Scholars suggest various causes of conflict linked to goal incompatibility over scarcity of valued resources,³⁸³ threats, sanctions, or the use of military force which trigger and fuel violent conflict.³⁸⁴ Amongst these issues, the struggle for social change against failed leadership, repressive authoritarian socio-political relationships may trigger aggravated political polarisation and violent conflict.³⁸⁵ We consider these factors within their historical context, which played a big role in shaping both, the violent polarised antagonistic contestation in Zimbabwe and pan-African regional diplomacy. Although varied, causes of conflict tend to be context specific, and numerous, centred on a complex interplay between structural factors, proximate causes and the immediate conflict triggers amplified by a range of goal incompatibility over land, ideology, religion, access to resources and power of the state.³⁸⁶ Although the Zimbabwe conflict, like any other conflict, generated devastating societal effects, it presented opportunities and challenges for transformation through diplomacy in general, and pan African diplomacy and regional mediation, however contested.

As suggested in Mitchell's triangle conflict model conflict is a situation in which the conflict parties view each other as blocking the realisation of their objectives, hence goal incompatibility.³⁸⁷ Goals are consciously desired future outcomes, conditions or end-states which bear intrinsic value for different parties to the conflict. Conflict attitudes reflect a psychological state such as evaluations, common attitudes, emotions such as suspicion,

³⁸⁰ Bercovitch, J. 1983. Conflict and conflict management in organizations: A framework for analysis. *Hong Kong Journal of Public Administration*, 5(2), pp. 104-123.

³⁸¹ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan, pp. 17.

³⁸² Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan.

³⁸³ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan.

³⁸⁴ Alexandrou, A.C. 1997. *Conflict Management through United Nations Peacekeeping and Peace-making*, MA Dissertation, University of Pretoria, pp. 21.

³⁸⁵ Webel, P.C. and Johansen, J. (Ed.) 2012. *Peace and Conflict Studies: Reader*. London: Routledge, pp. 156.

³⁸⁶ Sriram, C.L. and Nielson, Z. (Eds). 2004. *Why Examine Sub-Regional Sources and Dynamics of Conflict*, In C.L. Sriram and Z. Nielson, Z. (Eds). *Exploring Sub-regional conflict: Opportunities for Conflict Prevention*, Colorado: Lynne Rienner, pp. 2.

³⁸⁷ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan, pp. 27.



anger, resentment, distrust, fear, tunnel vision and stereotyping, patterns of perception and misconceptions unleashed in a conflict situation which play into the conflict dynamics.³⁸⁸ Conflict behaviour refers to the actions taken by one conflict party towards the other with the intention of making the other party to modify its goals, and possibly, its actions.³⁸⁹ Given that conflict situations, emotions and actions are deeply intertwined and dialectic,³⁹⁰ they tend to be complex and dynamic, characterised by shifting goal incompatibilities, behaviours and attitudes which constantly influence each other, as the dynamic aspects of any conflict alter its structure and interparty relationships.³⁹¹

Empirical definitions of conflict focus on coercive behaviours and attitudes initiated by contending parties against each other, which could be zero-sum or intractable, driven by the desire to injure, eliminate, defeat or neutralize their opponent to gain power, status, resources and other scarce values.³⁹² As suggested by Bercovitch, Kremenjuk and Zartman, these conflict conditions can be applied to understand various possible conflict situations by looking at the conflict parties, the identity of those units which initiate conflict, pursue it and determine outcome. In the case of Zimbabwe, a conflation of historical and contemporary socio-economic factors conflated with polarised contestation over democratization issues between the ruling ZANU PF and the MDCT, implicating the African and European-Western ideological divide invoking intense international pressures which influenced the conflict dynamics.

3.3 A Historical Synopsis of Intrastate Democratisation Conflict in Zimbabwe

Two major events, respectively extensively discussed in Mutambara,³⁹³ Coltart³⁹⁴ and Masunungure³⁹⁵ have taken crucial prominence in debates on the Zimbabwe conflict. As reflected in these discussions, the alarming violent attacks on leaders of civil society and the opposition MDC formations in 2007, and the outbreak of violent elections disputes in 2008. Tsvangirai, the most popular, and single major political opponent to President Mugabe in Zimbabwean history,³⁹⁶ his deputies, leaders from the smaller MDC formation led by

³⁸⁸ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan, pp. 27.

³⁸⁹ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan, pp. 29.

³⁹⁰ Demmers, J. 2016. *Theories of Violent Conflict: An Introduction*, London: Routledge, pp. 6.

³⁹¹ Mitchell, C.R.1981. *The Structure of International Conflict*, London: Macmillan, pp 33.

³⁹² Himes, J.S.1980. *Conflict and Conflict Management*, Athens. G.A: University of Georgia Press.

³⁹³ Mutambara, A.G.O. 2017. *In Search of the Elusive Zimbabwean Dream: An Autobiography of Thought Leadership*, Volume I, Harare, SAPES.

³⁹⁴ Coltart, D.2016. *The Struggle Continues: 50 Years of Tyranny in Zimbabwe*, Johannesburg, Jacana Media.

³⁹⁵ Masunungure, E. V. (Ed.). 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare, Weaver Press.

³⁹⁶ Hudleston, S.2015. *Face of Courage: A Biography of Morgan Tsvangirai*, Juta and Company Ltd.



Mutambara were violently attacked and later imprisoned by the police following peaceful protests, further deepening the Zimbabwe conflict.³⁹⁷ The violent election deadlock in 2008 plunged Zimbabwe into unprecedented conflict raising international and regional discomfiture. These events separately led to the SADC mediation of 2007, which was continued in 2008 to 2013.

The evident protracted intransigent and mutually resentful deadlocked rivalry between ZANU PF and the MDC formations was deeply rooted in historical ethnic and racial colonial cleavages and the legacy of structurally racist relations and the coercive liberation struggle. The violence of the liberation struggle hung a heavy dark cloud on the post-independence political rivalries under a multiparty system singularly dominated by ZANU PF. Defining the Zimbabwe crisis as a conflict is therefore insightful in addressing deeper and broader dimensions of the antagonistic polarization conflated in the overlapping legacies of colonial rule, the liberation struggle and its aftermath, which imploded into partisan violence leading to the breakdown of democratization since 2000.

During the 1970s ZANU PF and other liberation movements launched a brutally violent liberation struggle, which culminated in negotiations for independence under the Lancaster House Settlement, the leadership of Robert Mugabe as Prime Minister of Zimbabwe, 1980-1990.³⁹⁸ Mugabe became the Executive President of Zimbabwe from 1990 to 2008, after unilaterally, controversially amending the constitution to consolidate his hold on the power as the dominant leader of ZANU PF, the government and the state. The 1987 constitutional amendments became the rallying call during mobilization for constitutional reforms led by the opposition and civil society formations.³⁹⁹

Although Zimbabwe is ethnically diverse, its Shona ethnic group dominated its political and economic participation to the exclusion of such groups such as the Ndebele, Shangani and others.⁴⁰⁰ According to Sithole pervasive violent ethnic rivalry mutated with struggles for leadership during the liberation struggle and after,⁴⁰¹ as colonial transition failed to foster a

³⁹⁷ Mutambara, A.G.O. 2017. In Search of the Elusive Zimbabwean Dream: An Autobiography of Thought Leadership, Volume I, Harare, SAPES

³⁹⁸ Davidow, J. 1979. A Peace in Southern Africa: The Lancaster House Conference on Rhodesia, Westview Press, Boulder and London.

³⁹⁹ Dorman, S. R. 2003. NGOs and the constitutional debate in Zimbabwe: from inclusion to exclusion. *Journal of southern African studies*, 29(4), pp. 845-863.

⁴⁰⁰ Dowson, T., et al. 1995. *Mfecane aftermath: Reconstructive debates in Southern African History*, Network, Network University Press.

⁴⁰¹ Sithole. 1979. *Zimbabwe: The struggles Within the Struggle*, Harare, Rujeko



genuine pluralist inclusive democratic system.⁴⁰² The legacy colonial rule continued to manifest in the form of failed racial reconciliation and racial skewed economic participation, much of the political system and its institutions.⁴⁰³ In spite of gaining independence in 1980, the combined proletarianization of black people in mining, agriculture and manufacturing, while denying them access to land, the mainstay of indigenous economies persisted.⁴⁰⁴

Although the war of liberation ended in 1980, the ZANU PF government launched Gukurahundi from 1980 to 1988, until the signing of the Unity Accord with PF ZAPU.⁴⁰⁵ The unresolved experiences and consequences of Gukurahundi, the brutal repression of the ethnic Ndebele people, who occupy the South Western and the midlands regions of Zimbabwe, who widely supported PF ZAPU and Nkomo, are documented in the CCJP report.⁴⁰⁶ Gukurahundi fed into widening pervasive ethnic cleavages leaving a hanging grotesque divide between the Shona and Ndebele people to this day.⁴⁰⁷

Declining economic prospects on the back of the half-hearted adoption of the Economic Structural Programmes(ESAP) and its resultant appalling biting social costs,⁴⁰⁸ unleashed polarized unrest between the government on one side, and a coalition of Trade Unions, civil society formations, students and academics, which culminated in the formation of the MDC.⁴⁰⁹ The formation of the Movement for Democratic Change under the leadership of Morgan Tsvangirai in 1999,⁴¹⁰ heightened deadly intractable political confrontation, including during elections marking the beginning of protracted violent intrastate democratization conflict implicating immediate and long term grievances against the ZANU PF government.

⁴⁰² Sithole, M. 1991. Essay Review: Turmoil and Tenacity: The Road to the Unity Accord. *Zambezia*, 18(2), pp. 143-152.

⁴⁰³ Mlambo, A.S. 2014. *A History of Zimbabwe*, Cambridge, University of Cambridge Press.

⁴⁰⁴ Mlambo, A.S. 2014. *A History of Zimbabwe*, Cambridge, University of Cambridge Press.

⁴⁰⁵ Scarnecchia, T. and Sisulu, E. 2008. Gukurahundi in Zimbabwe: A Report of the Disturbances in Matabeleland and the Midlands, 1980-1988, *Journal of African History*; Cambridge Bd. 49, Aug. 3, pp. 493-495. DOI:10.1017/S0021853708004118.

⁴⁰⁶ Scarnecchia, T. and Sisulu, E. 2008. Gukurahundi in Zimbabwe: A Report of the Disturbances in Matabeleland and the Midlands, 1980-1988, *Journal of African History*; Cambridge Bd. 49, Aug. 3, pp. 493-495. DOI:10.1017/S0021853708004118.

⁴⁰⁷ Scarnecchia, T. and Sisulu, E. 2008. Gukurahundi in Zimbabwe: A Report of the Disturbances in Matabeleland and the Midlands, 1980-1988, *Journal of African History*; Cambridge Bd. 49, Aug. 3, pp. 493-495. DOI:10.1017/S0021853708004118.

⁴⁰⁸ Laakso, L.2003. Opposition Politics in Independent Zimbabwe, *African Studies Quarterly*, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.499.7841&rep=rep1&type=pdf>, Viewed 23 December 2021.

⁴⁰⁹ Alexander, P.2000. Zimbabwean Workers, the MDC and the 2000 Election, *Review of African Political Economy* Volume 27, Issue 85, pp. 385-406.

⁴¹⁰ Alexander, P.2000. Zimbabwean Workers, the MDC and the 2000 Election, *Review of African Political Economy* Volume 27, Issue 85, pp. 385-406.



The launch of the National Constitutional Assembly (NCA) in 1997 by civil society formations to press the ZANU PF government for constitutional reforms broadened opposition mobilisation, increasing political pressure on ZANU PF⁴¹¹. In 2000, ZANU PF shockingly lost the first constitutional referendum to a NO VOTE campaign led by a broad alliance of civil society formations drawn from mainly urban areas and growth points, pointing to unsettling rapid decline of the ZANU PF social base and support.⁴¹²

Facing parliamentary elections in 2000, and Presidential elections in 2002, ZANU PF launched the most radical, violent and chaotic land reforms under a campaign dubbed the Third Chimurenga.⁴¹³

From 2000, Zimbabwe was plunged into political instability and uncertainty, as the main political parties embarked on sustained simultaneous but opposing campaigns for political power which saw five elections and two referenda held between 2000 and 2008. Although elections since 2000 were violently disputed, 2007 and 2008 marked the height of political rivalry, and political uncertainty, characterised by the total collapse of government in Zimbabwe. Fundamentally, while ZANU PF had won the previous elections based announced results, ZANU PF and Mugabe lost the 2008 elections, for the first time losing in any election contests since independence in 1980.

The Zimbabwe conflict drew unprecedented attention from the Western international community, eliciting various coercive interventions ranging from condemnation of ZANU PF to the imposition of sanctions in 2002. The West imposed sanctions on Zimbabwe since 2002 citing the violation of the rule of law, and human and property rights, plunging the country into deeper socio-economic instability and deepening partisan and racial violent polarisation.⁴¹⁴ Although African regional organizations seemed to embrace quiet diplomacy from 2000 to 2007, the escalating conflict between ZANU PF and the MDC formations became an issue of major concern to SADC and the AU and the International community. In 2007, and 2008, SADC, with the support of the AU, launched the SADC mediation.

⁴¹¹ Dorman, S.R. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pp. 845-863.

⁴¹² Dorman, S.R. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pp. 845-863.

⁴¹³ Cliffe, L, Alexander, L and Cousins, B. 2011. An Overview of Fast Track Land Reform in Zimbabwe: Editorial Introduction, *The Journal of Peasant Studies*, Volume 38, 2011 - Issue 5: Special Issue on Fast Track Land Reform in Zimbabwe, pp. 907-938.

⁴¹⁴ Mashingaidze, T.M. 2005. The 1987 Zimbabwe National Unity Accord and its Aftermath: A Case of Peace without Reconciliation? in Hendricks and L Lushaba (Eds.) *From National Liberation to Democratic Renaissance in Southern Africa*, Dakar, Codesiria.



3.3.1 The Lancaster House and Constraints on Zimbabwe's Transition from Colonial Rule

Zimbabwe attained its independence on the basis of negotiations between the settler regime and the liberation movements under the negotiated Lancaster House Settlement, which allowed for the holding of majority elections won by ZANU PF in 1980. The negotiations were held to end the armed liberation struggle which plunged the country into more than a decade of civil war.

The deficits and failure to fulfil the Lancaster House settlement on the part of the Western international community, and coercive power consolidation on the side of the ZANU PF government underlie contemporary bloody conflict, more than four decades after it was signed. The Lancaster House settlement structured the form of liberal politics under a Westminster political system, later changed to a majoritarian first-past-post system. The settlement also imposed legalistic and legislative protections against any policy changes by the new government as sunset clauses.

The attainment of independence generated euphoric expectations for black Zimbabweans.⁴¹⁵ The transitional constitutional and legal constraints maintained the privileged societal position of the white minority who controlled much of the productive land and enjoyed privileged economic and political dominance.⁴¹⁶ As often argued by ZANU PF, the Lancaster House Settlement limited the new government from embarking on any far reaching socio-economic structuring permissive of broader societal transformation. Black elites may have attained political power to govern, however, the Lancaster House constitution limited the ZANU PF government from adopting radical policies towards socio-economic transformation from the colonial status quo. Although it promoted partial stability on the basis of concessions between the black political elites and the powerful white establishment, and multiparty political system extending the political franchise to include all Africans,⁴¹⁷ the neo-liberal socio-economic

⁴¹⁵ Guzura, T. and Ndimande, J. 2016. Electoral Authoritarianism and One-Party Dominance in Southern Africa: The Zimbabwean Case, *International Journal of Politics and Good Governance* Volume VII, No. 7. 1, pp.1-23.

⁴¹⁶ Palmer, R. 1977. *Land and Racial Discrimination in Rhodesia*, Boston University, African Studies Centre.

⁴¹⁷ Davidow, J. 1984. *A Peace in Southern Africa: The Lancaster House Conference on Rhodesia*, 1979, New York, Taylor and Francis.



distribution model left out many Africans who had been marginalised from economic participation for close to century.

The major agreements of the Lancaster House settlement included a ceasefire and the holding of elections based on majority rule and universal suffrage, the right to vote.⁴¹⁸ Elections were held under international supervision and monitoring, with oversight from Britain, which was the colonial power.⁴¹⁹ The settlement made specific proposals for the composition and integration of the different armed forces, the judiciary, the police, the contentious land issue,⁴²⁰ the economic and political interests of the white minority and a political system based on the Westminster model with a bi-cameral legislature.⁴²¹

The Lancaster House settlement formally institutionalised a multiparty constitutional parliamentary democratic system with reserved legislative seats for the White population, majority rule and regular elections based on universal suffrage under the Lancaster House constitution,⁴²² it became a temporal, if not a false start for democracy and fostering long term political stability in Zimbabwe. The settlement failed to foster broad based political accommodation inclusive of all ethnic groups, beyond racial accommodation. Given that the war of liberation was fuelled by grievances over access to land and economic participation access and participation, its failure to address historical economic exclusion became a major albatross to stable democracy in post-colonial Zimbabwe. Its 10-year constitutional moratorium on land redistribution and other protected interests,⁴²³ only served to post pone impending conflict on such pervasive political and economic cleavages.

The settlement provided liberal democratic institutions, elections and multi-partyism, rule of law and property rights, independent and professional army and police, the independence of the Judiciary and courts of law and a bi-cameral legislature.⁴²⁴ The Settlement may have laid

⁴¹⁸ Lewis, R.1980. From Zimbabwe-Rhodesia to Zimbabwe: The Lancaster House conference, The Round Table, The Commonwealth Journal of International Affairs, Vol 70, Issue 277, pp.6-9.

⁴¹⁹ Lewis, R.1980. From Zimbabwe-Rhodesia to Zimbabwe: The Lancaster House conference, The Round Table, The Commonwealth Journal of International Affairs, Vol 70, Issue 277, pp.6-9.

⁴²⁰ Soames, L.1980. From Rhodesia to Zimbabwe, International Affairs, Vol. 56, No. 3, pp. 405-419

⁴²¹ Lewis, R.1980. From Zimbabwe-Rhodesia to Zimbabwe: The Lancaster House conference, The Round Table, The Commonwealth Journal of International Affairs, Vol 70, Issue 277, pp.6-9.

⁴²² Davidow, J. 1984. A Peace in Southern Africa: The Lancaster House Conference on Rhodesia, 1979, New York, Taylor and Francis.

⁴²³ Lewis, R.1980. From Zimbabwe-Rhodesia to Zimbabwe: The Lancaster House conference, The Round Table, The Commonwealth Journal of International Affairs, Vol 70, Issue 277, pp.6-9.

⁴²⁴ Stedman, S.J. 1991. Peace-making in Civil War: International Mediation in Zimbabwe, 1974-1980, London, Lynn Rienner Publishers.



down the foundation for nascent liberal democratic institutions and rule,⁴²⁵ but it failed to anticipate and insulate the young democracy from future national conflict. Within a decade of independence, its prescribed largely donor funded willing-buyer-willing-seller land-redistribution strategy had collapsed,⁴²⁶ amidst growing pressure which was repressed by the ZANU PF government.

The land question was one of the major grievances of the liberation struggle.⁴²⁷ The need for access to land was a major grievance during the liberation struggle and an economic necessity for the socio-economic transformation of the lives of the majority of black Zimbabweans who depended on rural agriculture for their sustenance.⁴²⁸ Given a century of land dispossession,⁴²⁹ land redistribution was needed to resolve unequal land ownership, overpopulation and landlessness.⁴³⁰ Black Zimbabweans were pushed to extreme poverty, lived and in overcrowded geographic regions with barren, dry and hostile environmental living conditions, while a small population of white people owned extensive swathes of the most productive land, some of which was either underutilized or unused at all.⁴³¹

The land issue, like other political clauses, was subjected to the constitutional moratorium, with promises of international aid to assist with a program of provision of land to the formerly marginalised black majority.⁴³² The technocratic approach delayed the resolution of one of the major grievances of the liberation struggle without providing concrete urgent plan to address it. In 1997, the British government reneged on its independence commitment to land redistribution in Zimbabwe,⁴³³ opening a diplomatic fall-out with Zimbabwe, while fuelling one of the most violent land seizures in recent history.⁴³⁴ Facing domestic protests over economic issues, land and constitutional reform, and heightened domestic pressure, ZANU PF invoked

⁴²⁵ Lewis, R.1980. From Zimbabwe-Rhodesia to Zimbabwe: The Lancaster House conference, The Round Table, The Commonwealth Journal of International Affairs, Vol 70, Issue 277, pp.6-9.

⁴²⁶ Moyo, S. 2014. A Failed Land Reform Strategy in Zimbabwe. The Willing Buyer Willing Seller, Public Policy and Administration Review March 2014, Vol. 2, No. 1, pp. 67-74.

⁴²⁷ Moyo, S. 2014. A Failed Land Reform Strategy in Zimbabwe. The Willing Buyer Willing Seller, Public Policy and Administration Review March 2014, Vol. 2, No. 1, pp. 67-74.

⁴²⁸ Palmer, R.1977. Land and Racial Discrimination in Rhodesia, London.

⁴²⁹ Palmer, R.1977. Land and Racial Discrimination in Rhodesia, London.

⁴³⁰ Andreasson, S. 2010. Confronting the Settler Legacy: Indigenization and Transformation in South Africa and Zimbabwe, Political Geography.

⁴³¹ Riddell, R. 1980. Zimbabwe's Land Problem: The Central Issue in W.H. Morris-Jones, From Rhodesia to Zimbabwe, London, Institute of Commonwealth Studies.

⁴³² Riddell, R. 1980. Zimbabwe's Land Problem, in W.H. Morris-Jones, Ed. 2013. From Rhodesia to Zimbabwe: Behind and Beyond Lancaster House, New York, Routledge.

⁴³³ The Guardian, UK, Short denied responsibility to Zimbabwe, 11 August 2003, <https://www.theguardian.com/politics/2003/aug/11/freedomofinformation.zimbabwe>.

⁴³⁴ Andreasson, S. 2010. Confronting the Settler Legacy: Indigenization and Transformation in South Africa and Zimbabwe, Political Geography.



the land grievances, with some justification, and devastating social and economic consequences, to run a partisan driven populist political campaign since 2000.

At a political level the Lancaster House settlement bequeathed much of the modern institutions of political governance around which the contemporary political system in Zimbabwe is grounded.⁴³⁵ Although the Lancaster House settlement paved the way for the transfer of power to a ZANU PF government and majority rule, it arrested the ability of the new government to radically transform the economy through constitutional and legal limitations to protect private property rights against compulsory state driven re-distribution.⁴³⁶ This perpetuated the colonial state structure based on an ideology of racial privilege and superiority which favoured the minority white settler population, while exercising systemic racist oppression and marginalization against the black majority.⁴³⁷

Although the ZANU PF government adopted national racial reconciliation as government policy with key political elites preaching unity and reconciliation,⁴³⁸ racist and ethnic cleavages continued, while economic cleavages deepened, except that economic participation co-opted powerful political and economic elites. The rhetoric of national reconciliation lack coherent policy framework, and did not cover the historical problem of violent ethnic divisions and intolerance amongst diverse indigenous communities of black populations.⁴³⁹ More importantly, the politics of racial reconciliation remained inherently fractious and potentially fragile,⁴⁴⁰ and imploded into open conflict since the 2000s, when many white farmers became targets of violence under the FTLR, and violent repression for supporting the MDC formations. Since 1980 the Ndaue people from the South Eastern regions of Zimbabwe were marginalized by the government for voting as a block in support of Ndabaningi Sithole, just like the Ndebele people of the South Western region were socio-economically marginalized for supporting Joshua Nkomo and PF ZAPU, before and after independence. Since 2000, the Ndebele people faced much political violence for shifting their vote as a block to support the MDC and Tsvangirai against ZANU PF led by Mugabe.

⁴³⁵ Olsson, O. 2009. On the Democratic Legacy of Colonialism, *Journal of Comparative Economics*, Vol. 37, issue 4, pp. 534-551.

⁴³⁶ Gregory, M. 1980. Rhodesia: From Lusaka to Lancaster House, *The World Today*, Vol. 36, No. 1, pp. 11-18.

⁴³⁷ Southall, R. 2012. Democracy in Southern Africa: Moving Beyond a Difficult Legacy, *Review of Africa Political Economy*, Vol. 30, Issue 96, pp. 255-272.

⁴³⁸ De Waal, V. 1990. *The Politics of Reconciliation: Zimbabwe's First Decade*, Hurst and Company, London.

⁴³⁹ De Waal, V. 1990. *The Politics of Reconciliation: Zimbabwe's First Decade*, London, Hurst and Company.

⁴⁴⁰ De Waal, V. 1990. *The Politics of Reconciliation: Zimbabwe's First Decade*, London, Hurst and Company.



The failure of the Lancaster House settlement to provide for urgent socio-economic and political transformation in the medium to long term left political stability and democratic transition in Zimbabwe fragile, while the mutation of deepening racist, ethnic and class divisions with polarized partisan repression and economic implosion fuelled the Zimbabwe conflict during the 2000s.

3.3.2 Rhodesian Racist Colonial Rule and Democratisation in Zimbabwe

Racist colonial politics was the basis for a problematic mix of high and deeply partisan, ethnic and racially polarised zero-sum political rivalry which historically complicated efforts at a democratic compromise.⁴⁴¹ Many scholars fail to recognise the characteristic propensity for total domination in Zimbabwean politics, which portrays political compromise as weakness, and extreme radical posture as a principle, as a deep problem of the culture of violent political competition in Zimbabwe. For example, it took 15 years for Ian Smith to eventually commit to genuine political negotiations and compromises with the liberation movement paving the way for majority rule in 1980⁴⁴². It would take Mugabe 7 years to engage in serious negotiations with PF ZAPU allowing for stability in Matabeleland, and 8 years to agree on negotiated compromises with the MDC formations.⁴⁴³ Even then, these negotiations were difficult as the conflict protagonists took hard-line principled posture to protect what they projected to be the national interest, while exercising their patriotic duty.

The Rhodesian war hardened racists attitudes, while the liberation struggle and post-independence repression consolidated ethnic and partisan rivalry amongst political factions, resulting in decades of atrocious punitive political contestation. Violence was legitimized as a medium of political mediation against opponents who were framed as enemies and traitors.⁴⁴⁴ Although the war ended in 1980, its successor state under Mugabe was forged from partisan polarised personalist hegemonic state system under Ian Smith. The former was based on racist exclusionary, violently militarised hegemony particularly since the Unilateral Declaration of

⁴⁴¹ Moyo, T., Mdlongwa, T., and Ncube, B. 2015. Ethnicity, Domination and Tyranny: A Case for the Ndebele People in 'Running with Mother', *Journal for Studies in Humanities and Social sciences*, 4(1), pp. 225-235.

⁴⁴² Smith, I. D. 2008. *Bitter Harvest, Zimbabwe and the Aftermath of its Independence*, London, John Blake.

⁴⁴³ Meredith, M. 2002. *Mugabe, Power, Plunder and the Struggle for Zimbabwe*, Oxford, Public Affairs

⁴⁴⁴ Mlambo, O. B., and Gwekwerere, T. 2019. Names, Labels, the Zimbabwean Liberation War Veterans and the Third Chimurenga: The Language and Politics of Entitlement in Post-2000 Zimbabwe. *African Identities*, 17(2), pp. 130-146.



Independence under Ian Smith in 1965,⁴⁴⁵ and the later under Mugabe's four decades of personalist rule which subordinated democratic institutions to personal and Party state executive Presidency, without comprehensively resolving historical grievances faced by majority of black people.

The post-colonial political institutions, political practices, legal and administrative machinery and procedures were typically modelled along the lines of colonial settler state hegemony, institutionalised racist rule which exclusively served the interests of the minority white population who enjoyed full citizenship.⁴⁴⁶ The racially exclusionary colonial system was first introduced in Rhodesia under company rule (1890-1923), then as a Crown colony (1923-1965) and settler rule (1965-1979).⁴⁴⁷ Since the 1970s, Zimbabwe was plunged into armed liberation struggle to demolish the colonial system, attaining majority rule in 1980. This legacy shaped contemporary zero-sum political rivalry and mutually resentful political intransigence expressed in the ideologies and behaviours of the major conflict protagonists during the 2000s.

The colonial law and order regime which oppressed the black majority, violating their civil liberties and human rights were retained into the Zimbabwean law and order system.⁴⁴⁸ Equally, the Rhodesian political economy which was centred on the total "peasantization"⁴⁴⁹ "proletarianization"⁴⁵⁰ and "peripheralization"⁴⁵¹ of the majority black people persisted with gradual institutional tinkering to broaden the economic participation. The colonial political system criminalised, excluded and disenfranchised black Zimbabweans from legitimate political and economic participation and representation, denying them voting rights.⁴⁵² Although ZANU PF attained political power in 1980, much of the colonial socio-economic exclusion persisted, with marginal gains for the majority black people.

⁴⁴⁵ Young, K. 1969. Rhodesia and Independence, Salisbury, Eyre and Spottiswoode.

⁴⁴⁶ Schmidt, E. 1991. Patriarchy, Capitalism, and the Colonial State in Zimbabwe, *Journal of Women in Culture and Society*, Vol. 16, Number 4

⁴⁴⁷ Mair, S. and Sithole, M. 2002. *Blocked Democracies in Africa: A Case Study of Zimbabwe*, Harare, Konrad Adenauer Stiftung.

⁴⁴⁸ Mair, S. and Sithole, M. 2002. *Blocked Democracies in Africa: A Case Study of Zimbabwe*, Harare, KAS.

⁴⁴⁹ Arrigi, G. 1967. *The Political Economy of Rhodesia*, California, Mouton, the University of California

⁴⁵⁰ The political economy of discrimination and underdevelopment in Rhodesia, with special reference to African workers, 1940-73, PhD Thesis, St Andrews College, <https://research-repository.st-andrews.ac.uk/handle/10023/2812>, viewed 20 January, 2019.

⁴⁵¹ Arrigi, G. 1979. Peripheralization of Southern Africa: Changes in Production Processes, in *African Review*, Vol. 3, No. 2, The Incorporation of Southern Africa into the World-Economy, 1800-1940, pp. 161-193.

⁴⁵² Good, K. 1974. Settler Colonialism in Rhodesia, *African Affairs*, Vol. 73, No. 290, pp. 10-36.



The mobilisation of right wing Rhodesian conservatism, adoption of a hard-line, brutal approach against the nationalist movement, plunged Rhodesia into violent armed struggle for majority rule.⁴⁵³ The Rhodesian Front hegemony instituted a brutally coercive and violent law and order infrastructure to deal with both white and black opposition, primarily targeting the leaders of the nationalist movement who were presented as treasonous and unpatriotic.⁴⁵⁴ ZANU PF deployed similar strategies and tactics to deal with opposition while stalling democratic contestation hence Zimbabwe plunged into conflict during the 2000s.⁴⁵⁵

3.3.3 The Implications of the Liberation Struggle on Democratic Transition in Zimbabwe

The struggle for independence shaped the culture of politics and the prevailing ideologies in the ruling class. The long struggle for independence and majority rule shifted from protests and strikes,⁴⁵⁶ to armed struggle during the 70s⁴⁵⁷ as the settler regime took a hard-line posture against independence and majority rule, just like ZANU PF took hard-line posture to defend its rule. Equally, ZANU PF has used the official narrative to suggest that independence was attained through the barrel of the gun, in contrast to negotiations, compromises and democratic elections. This view became ZANU PFs default rallying point during elections to intimidate voters and in-still fear during elections.⁴⁵⁸ The use of potent physical and psychological violence, political, ethnic and racially marginalization, “shock” strategies and tactics which were applied on real and perceived enemies with impunity,⁴⁵⁹ became a major problem during the liberation struggle, as well as the democratization conflict in the 2000s.

ZANU PF adopted exclusionary narratives of the liberation struggle, potently deploying them as an organizing and mobilization ideology,⁴⁶⁰ deepening partisan cleavages along ethnicity, race, class and political party allegiance. Partisan ideology defined the terms of socio-

⁴⁵³ Joyce, P. 1974. *Anatomy of a Rebel, Smith of Rhodesia: A Biography*, Salisbury, Graham Publishing.

⁴⁵⁴ Flower, K.1987. *Serving Secretly - An Intelligence Chief on Record: Rhodesia into Zimbabwe, 1964-81*, John Murray Publishers.

⁴⁵⁵ Kriger, N. 2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and Coercion. *African affairs*, 104(414), pp. 1-34.

⁴⁵⁶ Ranger, T.O. 1972. Review: Protest in Rhodesia, *Trans-African Journal of History*, Vol. 2, No. 1, pp. 131-134.

⁴⁵⁷ Maxey, K. 2007. An outline of the armed struggle in Zimbabwe, *Review of African Political Economy*

⁴⁵⁸ Rupiya, M. R. 2020. *Zimbabwe: A History of the Military in Politics, 1980–2019*, Oxford Research Encyclopaedia of Politics, Oxford, Oxford University Press..

⁴⁵⁹ Nhongo-Simbabanevavi, J.2000. *For Better or Worse? Women and ZANLA in Zimbabwe's Liberation*, Harare, Weaver Press.

⁴⁶⁰ Kriger, N.2006. From Patriotic Memories to ‘Patriotic History’ in Zimbabwe, 1990 – 2005, *Third World Quarterly*, Volume 27, Issue 6, pp.1151-1169.



economic and political inclusion in, and exclusion from the state and access to public goods.⁴⁶¹ The struggle credentials were used to legitimize access to political power, resources and privilege for ZANU PF elites and veterans of the liberation struggle, while delegitimizing outsiders, branded as traitors.⁴⁶² The leaders of the liberation struggle, those who participated, or were said to have participated were in terms of ZANU PF were entitled to benefits from the state. Political leadership and the Presidency of Zimbabwe was a straight-jacket preserved for leaders who had fought in the war of liberation, an assumption which undermined democratic due process and the will of the people to choose their preferred leaders for political office.⁴⁶³

The liberation struggle influenced the internal organization of ZANU PF as internally authoritarian, intolerant, and brutally violently coercive. Its structures were structurally commandist based on uncompromising absolute loyalty, under a strong military -party elite leadership.⁴⁶⁴ ZANU PF as a movement was totally militarized in its structures and modus operandi, with its military organs equally politicised, sowing the seeds for politically active military-security institutions in contemporary politics in ways which undermined democracy within the state and government.⁴⁶⁵ At critical moments, the military took political decisions, conflating the role with the role of elected political leaders, including in the running and administration of electoral processes. Its political party structures were totally militarised and conflated with government, creating a party-state with blurred lines between the government and the party.⁴⁶⁶ In contravention of democratic norms, the military elites and party structures openly took proactive roles and decisions in government in the name of the ruling party, arguing that ZANU PF was the government and the government was ZANU PF.

The Zimbabwe liberation movement was pervaded by tribal ethnic rivalry and political splits which generated inter-party and intraparty factional violence,⁴⁶⁷ including after independence. In many cases intraparty violence based on divided loyalties towards different political factions,

⁴⁶¹ Kriger, N.2006. From Patriotic Memories to 'Patriotic History' in Zimbabwe, 1990 – 2005, *Third World Quarterly*, Volume 27, Issue 6, pp.1151-1169.

⁴⁶² Kriger, N.2006. From Patriotic Memories to 'Patriotic History' in Zimbabwe, 1990 – 2005, *Third World Quarterly*, Volume 27, Issue 6, pp.1151-1169.

⁴⁶³ Maringira, G. and Masiya, T. 2017. When the military become a security and political threat: Zimbabwean army generals in electoral politics, pp.399-412.

⁴⁶⁴ Mazarire, G.C.2011. Discipline and Punishment in ZANLA: 1964–1979, *Journal of Southern African Studies*, Volume 37, Issue 3: Histories and Legacies of Punishment in Southern Africa, pp. 571-591

⁴⁶⁵ Rupiya, M .2005. Zimbabwe: Governance through Military Operations, *African Security Review* Volume 14, Issue 3, pp.116-118.

⁴⁶⁶ Mazarire, G.C.2011. Discipline and Punishment in ZANLA: 1964–1979, *Journal of Southern African Studies*, Volume 37, Issue 3: Histories and Legacies of Punishment in Southern Africa, pp. 571-591.

⁴⁶⁷ Dorman, S.R.2007. Post-liberation Politics in Africa: examining the political legacy of struggle, *Third World Quarterly*, Volume 27, Issue 6, pp. 1085-1001.

heavyweight personalities morphed into generalised interparty violence following factional political splits. For example, the defection of mostly Shona speaking elites from ZAPU to form ZANU PF in 1963 marked one of the most violent episodes of nationalist history in Zimbabwe,⁴⁶⁸ reflected in ethnically divided electoral participation during 2000s political conflict. The interparty and intraparty violence continued when the ZANU PF Government launched Gukurahundi against ZAPU 1980-1987⁴⁶⁹ , between the ZANU PF and the opposition MDC, and between the MDC factions in 2005.⁴⁷⁰

The political culture of violence, abductions, disappearances and inexplicable killings has pervaded the liberation struggle in Zimbabwe, and political contestation in general. The assassinations, unexplained deaths and political eliminations associated with internal political rivalry, sometimes exploited by the Rhodesian state to divide the liberation movement accounted for the death of Chitepo,⁴⁷¹ and Tongogara,⁴⁷² amongst many high-profile leaders. Violent attacks and in some cases disappearance of political rivals continued after independence, within ZANU PF, the opposition MDC factions and between these main conflict protagonists.

Academics like Sithole⁴⁷³, Chitukutuku⁴⁷⁴ and Kriger,⁴⁷⁵ have written about the troubling legacy of the liberation struggle, whose past ills re-immersed since 2000, deployed by the state against the opposition. From negative tribal ethnicism,⁴⁷⁶ the psychology of partisan coercive political violence to enforce loyalty through fear and forced political participation,⁴⁷⁷ drawing

⁴⁶⁸ Moyo, F.2012. The Struggle within the Struggle: An Examination of the Political Power Wrangle Between the African National Council and Other Nationalist Parties, especially ZANU and ZAPU, in Zimbabwe's liberation struggle (c.1971- c.1980), *Studia Historiae Ecclesiasticae* Volume 38 Supplement, <http://uir.unisa.ac.za/>, Viewed 20 October 2020.

⁴⁶⁹ Phimister, I.2009. "Zimbabwe is Mine": Mugabe, Murder, and Matabeleland, *Safundi, The Journal of South African and American Studies*, Volume 10, Issue 4, pp.471-478.

⁴⁷⁰ Raftopoulos, B.2006. Reflections on opposition politics in Zimbabwe: The Politics of the Movement for Democratic Change (MDC), archive.kubatana.net, Viewed 21 October 2020.

⁴⁷¹ White, L. 2003. *The Assassination of Herbert Chitepo: Texts and Politics in Zimbabwe*, Indianapolis, Indiana University Press.

⁴⁷² Chikuhwa, J.M. 2013. *Zimbabwe: The End of the First Republic*, Bloomington, Authorhouse

⁴⁷³ Sithole, M. 1999. *Zimbabwe: The Struggle within the Struggles, 1957-1980*, Harare, Rujeko

⁴⁷⁴ Chitukutuku, E. 2017. *Re-living Liberation War Militia Bases: Violence, History and the Making of Political Subjectivities in Zimbabwe*, PhD Thesis, Wits University, Johannesburg.

⁴⁷⁵ Kriger, N.2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and coercion, *African Affairs*, Volume 104, Issue 414, pp. 1–34.

⁴⁷⁶ Sithole, M. 1999. *Zimbabwe: Struggles within a Struggle 1957-1980*, Harare, Rujeko

⁴⁷⁷ Chitukutuku, E. 2017. *Re-living Liberation War Militia Bases: Violence, History and the Making of Political Subjectivities in Zimbabwe*, PhD Thesis, Wits University, Johannesburg.



from coercive strategies and tactics used during the war of liberation.⁴⁷⁸ Moore⁴⁷⁹ and Kamete⁴⁸⁰ argue that ZANU PF works like a coercive machinery to assert its hegemonic consent alternating between violent persuasion and forced participation to consolidate its rural support base, while displacing opposition bases in urban areas. Since 2000, the military invoked savage, brutal, authoritarian and extremely coercive liberation war strategies violating human rights and human dignity.⁴⁸¹ Systematic coercive mass mobilization, fear and intimidation undermining freedom of expression and association were weaponized during the 2000s.⁴⁸² Systemic use of violent language and labelling of opponents was often used to promote and justify impunity and executions of perceived opponents.

ZANU PF campaigns from the 2000s assimilated the tactics and strategies used during the liberation struggle to alarming levels, particularly in 2007 and 2008. The combined coercive ideas, strategies and tactics of the liberation struggle were exerted on a civilian opposition using state security and military institutions. The land issue, a major grievance of the liberation struggle, was exclusively appropriated as major issue of the 2000s democratic rivalry. Violence against opposing political factions or opposition formations was justified as a legitimate patriotic duty to deal with subversive elements derailing the struggle,⁴⁸³ hence violence against opposition supporters was justified by the government, and was not legally punished.⁴⁸⁴ The historical continuities of the liberation struggle influenced ZANU PF strategically and systemically,⁴⁸⁵ as was reflected in the characteristics and consequences of the 2007 and 2008 conflict in Zimbabwe, further deepening and complicating the Zimbabwe conflict.

⁴⁷⁸ Kriger, N.2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and coercion, *African Affairs*, Volume 104, Issue 414, pp. 1–34.

⁴⁷⁹ Moore, D. 2008. Coercion, Consent, Context Operation Murambatsvina & ZANU (PF)'s Illusory Quest for Hegemony, in M. Vambe (ed) 2008. *The Hidden Dimensions of Operation Murambatsvina in Zimbabwe*, Harare, Weaver Press.

⁴⁸⁰ Kamete, A.Y. 2006. The Return of the Jettisoned: ZANU-PF's Crack at Re-urbanising' in Harare, *Journal of Southern African Studies*, Vol .32, No.2. pg. 255-71.

⁴⁸¹ Kriger, N.2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and Coercion, *ibid*.

⁴⁸² Chitukutuku. E. 2017. Re-living liberation war militia bases: violence, history and the making of political subject in Zimbabwe, PhD Thesis, Wits University, Johannesburg.

⁴⁸³ Sithole, M. 1999. Zimbabwe: The Struggle within the Struggles,1957-1980, *ibid*.

⁴⁸⁴ Sithole, M. 1999. Zimbabwe: The Struggle within the Struggles,1957-1980, *ibid*.

⁴⁸⁵ Mugabe, R.G. 2001. Robert Gabriel Mugabe, Inside the Third Chimurenga: our land is our prosperity, Harare, Department of Information and publicity.



3.3.4 Simultaneous Legacies of Colonial Domination and the Violent Liberation Struggle

During the 1970s, groups of nationalist liberation movements took up arms to fight for independence from settler dominance, calling for majority rule. The simultaneously combined implications of colonial rule and the authoritarian character of the coercive liberation struggle which continued to be invoked to advance ZANU PF interests well after independence perpetuated conflict drivers which later imploded in Zimbabwe's short democratic experiment.

The violations of human rights, civil and political liberties, historical mutated with the racist violations of socio-economic rights, and its violent contestation through the liberation struggle. A chain of Zimbabwean academics such as Sithole, Makumbe, Moyo, and 33 scholars from Africa, Europe and the USA who contributed a critique to Mamdani's lessons of Zimbabwe,⁴⁸⁶ from liberal internationalist critique have suggested that the Zimbabwe conflict was rooted in democratic deficit and bad governance,⁴⁸⁷ glossing over challenging historical continuities which had severe implications on Zimbabwean democracy and political stability. Mamdani, echoing Pan- African views suggest that the land issue and historical injustice was at the root of the land issue.⁴⁸⁸

A reading of the emerging literature on democratization in Zimbabwe from Chan,⁴⁸⁹ Blair,⁴⁹⁰ Meredith⁴⁹¹ Moore⁴⁹², and Bratton⁴⁹³ amongst other works renders a narrow view of the Zimbabwe conflict linked to political rivalry and draconian rule under ZANU PF's violent dictatorship. They point to the evident breakdown of the rule of law, violation of property rights and human rights, disputed electoral processes and outcomes, abuse of state institutions, laws and procedures, and politicisation of military and security institutions, including the use of

⁴⁸⁶ Scarnecchia, T. and Alexander, J. et al, 2009. Lessons of Zimbabwe, London review of books, <https://www.lrb.co.uk/v30/n23/mahmood-mamdani/lessons-of-zimbabwe>, Viewed 18 November 2020.

⁴⁸⁷ Scarnecchia, T. and Alexander, J. et al, 2009. Lessons of Zimbabwe, London review of books, <https://www.lrb.co.uk/v30/n23/mahmood-mamdani/lessons-of-zimbabwe>, Viewed 18 November 2020.

⁴⁸⁸ Mamdani, M. 2009. Lessons of Zimbabwe: Mugabe in context, <http://www.concernedafricascholars.org/docs/acasbulletin82-1mamdani.pdf>, Viewed 29 July 2021.

⁴⁸⁸ Mkandawire, T.2020. Zimbabwe's transition overload: an interpretation, *Journal of Contemporary African Studies*, Volume 38, Issue 1: Crocodiles in Still Waters: The Legacies of Mugabe's Rule in Zimbabwe, pp.18-38.

⁴⁸⁹ Chan,2003. Robert Mugabe: A Life of Power and Violence, Michigan, University of Michigan Press

⁴⁹⁰ Blair, D.2002. Degrees in violence: Robert Mugabe and the struggle for power in Zimbabwe, London, Bloomsbury Publishing.

⁴⁹¹ Meredith, M. 2009. Mugabe: Power, Plunder, and the Struggle for Zimbabwe's Future, Johannesburg, Jonathan Ball.

⁴⁹² Moore, D. 2005. When I am a Century Old: 'Why Robert Mugabe Won't Go, in R. Southall and Henning Melber, (eds) *Legacies of Power, Leadership Change and Former Presidents in Southern Africa*, www.hsrc.press.ac.za, Viewed 02 January 2020.

⁴⁹³ Bratton, M. 2014. *Power Politics in Zimbabwe*, London, Lynne Rienner Publishers



militias to punish, intimidate and coerce political opponents under a failed multiparty system.⁴⁹⁴ While democratic deficit and bad governance marked the height of the conflict,⁴⁹⁵ historically punitive, racially and ethnically exclusionary colonial antecedents, their coercive contestation became a long-term front to polarized violence at the turn of the millennium. As suggested by Makamure, Rukobo, Mamdani,⁴⁹⁶ Mkandawire⁴⁹⁷ and Sam Moyo the Zimbabwe conflict was located in its historical contradictions, and new dynamics characterizing democratization conflict during the 2000s.

ZANU PF considered its role in the liberation struggle and the government of Zimbabwe as the sole patriotic legitimate stakeholder securing the historical and national aspirations of Zimbabwe. The violent democratic rollback since the formation of the MDC in 1999, was therefore projected as the continuation of the patriotic duty to protect the legacy of the liberation struggle through state and partisan violence, invoking the coercive strategies and tactic which were successfully used against the settler regime, while obliging all Zimbabweans to naturally oblige, in spite of their democratic views. As a result, the ZANU PF government stoked and abetted violent land invasions and subsequent violations of democratic and human rights under the justification of fulfilling threatened historical patriotic obligations which threatened the fulfilment of the aspirations of the liberation struggle and national sovereignty.⁴⁹⁸ The intersectionality of polarised partisan violence, elections disputes, and violation of the rule of law and human rights with historical colonial and liberation grievances fuelled extremely violent conflict and authoritarian repression in Zimbabwe.

Thus, the struggle for liberal democracy, represented by the MDC formations, was conflated with overlapping struggle to address historically contested colonial and racial structural and institutional problems which are glossed over by many contemporary scholars of democratization. The failure to address democratic governance issues by the Mugabe government should be both understood in the context of the government's failure to address historical contradictions, the failure of the Western international community to full uphold the

⁴⁹⁴ Olaleye, W. 2004. Political Parties and Governance in Zimbabwe. EISA Occasional Paper, No.18, <https://www.eisa.org.za>, Viewed 12 January 2020.

⁴⁹⁵ Scarnecchia, T. and Alexander, J. et al, 2009. Lessons of Zimbabwe, London review of books, <https://www.lrb.co.uk/v30/n23/mahmood-mamdani/lessons-of-zimbabwe>, Viewed 18 November 2020

⁴⁹⁶ Mamdani, M. 2009. Lessons of Zimbabwe: Mugabe in context, <http://www.concernedafricascholars.org/docs/acasbulletin82-1mamdani.pdf>, Viewed 29 July 2021.

⁴⁹⁷ Mkandawire, T.2020. Zimbabwe's transition overload: an interpretation, *Journal of Contemporary African Studies*, Volume 38, Issue 1: Crocodiles in Still Waters: The Legacies of Mugabe's Rule in Zimbabwe, pp.18-38.

⁴⁹⁸ Ranger, T. 2004. Nationalist Historiography, Patriotic History and the History of the Nation: The struggle Over the Past in Zimbabwe. *Journal of southern African studies*, 30(2), pp. 215-234.



historical commitments as agreed in the Lancaster House constitution, the punitive weaponization of these grievances by the West to punish ZANU PF after 2000, and by ZANU PF to punish domestic opposition, hence further complicating the Zimbabwe conflict.

The systematic, formal and informal political excesses under ZANU PF are intricately embedded in the legacy of colonial domination, its uniquely violent architecture based on oppressive racist agency and the intensely coercive liberation struggle which culminated in hegemonic ZANU PF draconian rule, which became brutal against political rivalry with the MDC formations.⁴⁹⁹ The liberation struggle cast violently coercive, characterized by fear, intimidation, gross violation of human rights and civil liberties and zero-sum political rivalry, all reflected in the Gukurahundi and the violence during the 2000s.⁵⁰⁰

The dual legacy of colonial oppression and coercive violence during the liberation struggle was repeated with impunity during the Zimbabwe conflict since 2000, both as continuities and contemporary realities of the conflict.⁵⁰¹ While settler colonial rule was brutally racially oppressive,⁵⁰² the liberation struggle was also internally violent, undemocratic and organizationally coercive,⁵⁰³ characterized by impunity and violations of human rights which permeated into the post-colonial culture and practice of politics as manifested in state-perpetrated violence and extreme political intolerance during the 2000s. The violent racist political polarisation characterised the colonial state, but, intra-, and inter-factional grotesque violence was the mainstay of the struggle for liberation, justified as the means to attain the patriotic goals of liberating the country.⁵⁰⁴ Such practices as coercive participation in rallies and forced night vigils, slogans, insults, violation of human dignity against opponents, assaults, murder, rape, intimidation, beatings, unaccounted disappearance of individuals, liquidation of perceived enemies, forced political re-education under demeaning conditions were deployed

⁴⁹⁹ Sachikonye, L.2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

⁵⁰⁰ Maedza, P. 2017. "Mai VaDhikondo": Echoes of the Requiems from the killing Fields. *Social Dynamics*, 43(2), pp. 215-229.

⁵⁰¹ Sachikonye, L.2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

⁵⁰² Sachikonye, L.M.2011. *When a State Turns on its Citizens: 60 Years of Institutionalised Violence in Zimbabwe*, Johannesburg, Jacana.

⁵⁰³ Moore, D.B. 1995. Democracy, Violence, and Identity in the Zimbabwean War of National Liberation: Reflections from the Realms of Dissent, *Canadian Journal of African Studies / Revue canadienne des études africaines*, Volume 29, Issue 3, pp.375-402.

⁵⁰⁴ Sachikonye, L.M.2011. *When a State Turns on its Citizens: 60 Years of Institutionalised Violence in Zimbabwe*, Johannesburg, Jacana.



against perceived enemies of ZANU PF since the 2000s as a patriotic duty to defend the gains of the liberation struggle.⁵⁰⁵

The simultaneous dual legacy of the colonial and liberation struggle conflict shaped ZANU PF authoritarianism, influencing the breakdown of the democratisation process in Zimbabwe. Colonial rule generated a racially segregated political economy, replete with racially oppressive power relations and institutions while normalising violence in Zimbabwean political contestation.⁵⁰⁶ The struggle for decolonization was internally violent, undemocratic and brutally oppressive, violating the same rights it promised to restore at the dawn of independence.⁵⁰⁷ These combined authoritarian and oppressive legacies were reflected in the patterns of violence in 2007 and 2008.

3.4 The Challenges of Democracy in Zimbabwe, 1980-1985

When the ZANU PF government took power in 1980, it faced a dual challenge to forge inclusive economic development and democracy. In forging inclusive democracy, ZANU PF also faced the challenge to foster political stability beyond the war-ravaged, deeply divided country, while consolidating its hold on power. From 1980 to 1987, ZANU PF largely upheld the later and spirit of the Lancaster House Settlement at the cost of simmering discontent amongst the majority black people, eliciting close support from formerly sceptical whites,⁵⁰⁸ and the Western international community.⁵⁰⁹ Through the rhetoric of national reconciliation, ZANU PF signalled magnanimity, political moderation, and compromise hailed by the Western international community,⁵¹⁰ while exercising political repressive rule over the black majority, overlooking their historical socio-economic demands. Equally, the reconciliation policy was not extended to former nationalist rivalries or critics such as Ndabaningi Sithole, Abel Muzorewa, Joshua Nkomo, and their supporters who were persecuted under the draconian colonial state of emergency, a law-and-order regulation,⁵¹¹ thus perpetuating violently coercive ethnic, partisan and factional political rivalry. However, efforts to redress land issues since the 2000s

⁵⁰⁵ Sachikonye, L.2011. When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe, Harare, Weaver Press.

⁵⁰⁶ Ranger, T.1992. Afterword: War, Violence and Healing in Zimbabwe, *Journal of Southern African Studies*, Vol. 18, No. 3, Special Issue: Political Violence in Southern Africa, pp. 698-707.

⁵⁰⁷ Ranger, T.1992. Afterword: War, Violence and Healing in Zimbabwe, *Journal of Southern African Studies*, Vol. 18, No. 3, Special Issue: Political Violence in Southern Africa, pp. 698-707.

⁵⁰⁸ De Waal, V. 1990. *The Politics of Reconciliation: Zimbabwe's First Decade*, London, Hurst

⁵⁰⁹ Rwodzi, A. 2020. Reconciliation: A false start in Zimbabwe? (1980-1990), *Cogent Arts and Humanities*, 7:1, pp.1-18.

⁵¹⁰ De Waal, V. 1990. *The Politics of Reconciliation: Zimbabwe's First Decade*, London, Hurst

⁵¹¹ Rwodzi, A. 2020. Reconciliation: A false start in Zimbabwe? (1980-1990), *Cogent Arts and Humanities*, 7:1, pp.1-18.



galvanised Western and domestic animosity against ZANU PF, converging with the interests of domestic opposition for change of government, fuelling unprecedented conflict in the country.

The historical quest for ZANU PF consolidation of power beyond rival colonial, liberation parties and emerging formations through coercive exclusionary hegemonic domination sored seeds of conflict. Two years after independence, ZANU PF officials opened a debate to size the mood of the population on the possible formal adoption of the socialist one-party-state system, which could have ended the multiparty system. Scholars such as Mandaza and Sachikonye,⁵¹² Shaw,⁵¹³ Doran⁵¹⁴ amongst others have comprehensively written about ZANU PF's intentions to consolidate power by eliminating opposition by declaring the one-party-state system into law demonstrating ZANU PF intent for establishing unchallenged rule.

The one-party-state system became anachronistic during the 1990s as such regimes collapsed starting with the Soviet Union in 1989, and much of Africa under the weight of the wave of liberal democratization. In Zimbabwe, such debates triggered the first major extensively organized protests against the ZANU PF government, rallying university students, and the main trade union, the Zimbabwe Congress of Trade Unions (ZCTU). Organised student activism and trade unions played important roles in the formation of the MDC, and later, the Zimbabwe conflict of 2007 and 2008. Although the one-party-system resonated with the ZANU PF elites, its abortion due to internal and external pressure from labour and the student movement clearly demonstrated underlying political division about the political future of Zimbabwe,⁵¹⁵ while state repression against students and leaders of the ZCTU invoked memories of the historically brutal punitive culture of colonial and liberation violence.

Between 1980 and 1987, ZANU PF unleashed Gukurahundi, which has been widely covered in various studies. Gukurahundi ended in 1987 when ZANU and PF ZAPU signed the 1987 Unity Accord, basically, allowing Nkomo and his party to be swallowed into ZANU PF. The atrocious violence committed under Gukurahundi, and the persecution of former nationalist leaders who were variously accused of treason, arrested or forced into exile, marked a false

⁵¹² Mandaza, I. and Sachikonye, L.M.1991. The Zimbabwe Debate on the One-Party State, in I Mandaza and L.M. Sachikonye, *The One-Party State Debate and Democracy*, Harare, Sapes.

⁵¹³ Shaw, W.H. 1986. *Towards the One-Party State in Zimbabwe: a Study in African Political Thought*, Volume 24, Issue 3September 1986, pp. 373-394.

⁵¹⁴ Doran, S. 2017. *Kingdom, Power, Glory: Mugabe, ZANU and the Quest for Supremacy, 1960-1987*, Johannesburg, Sithatha Media.

⁵¹⁵ Chikerema, A.F. and Chakunda, V.2014. "Political Culture and Democratic Governance in Zimbabwe", *Journal of Power, Politics and Governance*, 2(1), pp. 55-66.

start for democracy in Zimbabwe,⁵¹⁶ while reflecting worrying illiberal tendencies which were later repeated during the 2000s conflict.

Under Gukurahundi, the state deployed the partisan 5th brigade army in the Matabeleland and Midlands regions of Zimbabwe ostensibly to deal with the dissidents' menace, viewed by ZANU PF as a potential tribal Ndebele uprising against the ZANU PF government.⁵¹⁷ The state unleashed a reign of terror, leading to the death of more than 20 000 Ndebele people, destruction of property, detention of ZAPU political leaders, violation of human and property rights.⁵¹⁸ The human, property, psychological and social costs of Gukurahundi continue to dominate contemporary political debates with calls for truth, dialogue, reconciliation and national healing.⁵¹⁹ The assault on ZAPU undermined the multiparty system, and violated constitutional, human and property rights, as well as civil and political liberties of citizens,⁵²⁰ while the pattern, strategies and tactics of violence reflect some features of political repression witnessed during the 2007 and 2008 violence.

The subsequent negotiations which resulted in the 1987 Unity Accord resulted in ZANU PF and Mugabe consolidating total hold on power under the Unity Accord with total singular control of the government and the state, marking the formal emergence of the authoritarian party-state. The Unity Accord signed in 1987 may have resulted in political stability, however it failed to either transform the Zimbabwean political system to pluralist inclusive democracy, or address the atrocious historical legacy of polarized partisan political violence.⁵²¹

The Unity Accord allowed Mugabe and ZANU PF to effectively realised total concentration and consolidation of state power, after negotiations which were largely a ZANU PF fait accompli to subdue and subordinate ZAPU or liquidate it. The Unity Accord paved the way for wholesale constitutional Amendments,⁵²² including, the removal of sunset clauses from the Lancaster

⁵¹⁶ Rwodzi, A. 2020. Reconciliation: A false start in Zimbabwe? (1980-1990), Cogent Arts and Humanities, 7:1, pp.1-18.

⁵¹⁷ The Catholic Commission for Justice and Peace in Zimbabwe, Gukurahundi in Zimbabwe: 1997. A Report on the Disturbances in Matabeleland and the Midlands, 1980-1988, Johannesburg, Jacana.

⁵¹⁸ The Catholic Commission for Justice and Peace in Zimbabwe, Gukurahundi in Zimbabwe: 1997. A Report on the Disturbances in Matabeleland and the Midlands, 1980-1988, Johannesburg, Jacana.

⁵¹⁹ The Catholic Commission for Justice and Peace in Zimbabwe, Gukurahundi in Zimbabwe: 1997. A Report on the Disturbances in Matabeleland and the Midlands, 1980-1988, Johannesburg, Jacana.

⁵²⁰ Alexander, McGregor, J.A. and Ranger, T.O. 2000. Violence & memory: one hundred years in the "dark forests" of Matabeleland, The International Journal of African Historical Studies, Vol. 34, No. 3, pp. 659-663.

⁵²¹ Banana, C.1989. Turmoil and tenacity: Zimbabwe 1890-1990, Harare, College Press

⁵²² Constitution of Zimbabwe Amendment no.7(Act 23 of 1987) and Constitution of Zimbabwe No.9 (Act 31 of 1989).



House constitution, leaving ZANU PF and Mugabe in total control of government and the state, with marginal, largely ceremonial opposition. Since 1990, Mugabe became the Executive President enjoying extensive imperial government and state power.⁵²³ Through these amendments Mugabe sealed total unilateral unaccountable personal and official control of both the state and ZANU PF, ending any semblance of political pluralism.⁵²⁴ Arguably, ZANU PF reached the pick of its power by 1995, with total control of all institutions of government, widespread support, including in the Matabeleland regions which temporarily voted the united ZANU PF with Joshua Nkomo as one of the leaders. The persecution of leaders and supporters of such parties as ZANU NDONGA, UANC, PF ZAPU, the Zimbabwe Unity Movement (ZUM),⁵²⁵ particularly during elections,⁵²⁶ reduced the nascent democratic exercises into persistent partisan conflict cleavages. Failed reconciliation subtly concealed racial and ethnic enclaves, which mutated with partisan mobilization since the early 2000s.⁵²⁷

The ZANU PF government succeeded in providing broader access to education and public health, especially between 1980 and 1990. However, these achievements were attained at the cost of heavy external and domestic borrowing which later weighed on the small economy, donor aid dried up during the 2000s.⁵²⁸ The half-hearted adoption of the Economic Structural Adjustment Programmes (ESAP) in 1990, and high borrowing from the Bretton Woods institutions, without the capacity to service its debts,⁵²⁹ diminished social expenditure, and collapsed the economy during the late 1990s, triggering massive widespread strikes led by the ZCTU and students, fuelling unrest leading to the formation of the MDC. From 1997, the ZANU PF government faced a regime breakdown as its former social base violently split and re-aligned into two polarised major political blocks, on one side, the ZANU PF defending the status quo, on the other side the MDC formations, which pushed for political change.⁵³⁰

⁵²³ Ncube, W. and Nzombe, S. 1987. *The Constitutional Reconstruction of Zimbabwe: Much Ado About Nothing?* ZLRev. vol. 5., pp.2-25, Harare, University of Zimbabwe Faculty of Law.

⁵²⁴ Ncube, W. and Nzombe, S. 1987. *The Constitutional Reconstruction of Zimbabwe: Much Ado About Nothing?* ZLRev. vol. 5., pp.2-25, Harare, University of Zimbabwe Faculty of Law.

⁵²⁵ Rwodzi, A. 2020. *Reconciliation: A false start in Zimbabwe? (1980-1990)*, Cogent Arts and Humanities, 7:1, pp.1-18

⁵²⁶ Rwodzi, A. 2020. *Reconciliation: A false start in Zimbabwe? (1980-1990)*, Cogent Arts and Humanities, 7:1, pp.1-18

⁵²⁷ Benyera, E.2014. *Debating the Efficacy of Transitional Justice Mechanisms: The Case of National Healing in Zimbabwe, 1980-2011*, PhD Dissertation, UNISA, <https://d1wqtxts1xzle7.cloudfront.net/>, Viewed 20 October 2020

Moyo, J.M.1991. *State Politics and Social Domination in Zimbabwe*, The Journal of Modern African Studies, Vol. 30, No. 2, pp. 305-330.

⁵²⁹ Kondo, T. et al, 2011. *Beyond the enclave: Towards a Pro-poor and Inclusive Development Strategy for Zimbabwe*, Harare, Weaver Press.

⁵³⁰ LeBas, A.2006. *Polarization as Craft: Party Formation and State Violence in Zimbabwe*, Comparative Politics, Vol. 38, No.4, pp.419-438.



The declining economic prospects presented a major conflict front and heightened political polarization on issues of economic policy and the impact of ESAP as the government adopted repressive measures rolling back democracy to contain protests which threatened its hold on power.⁵³¹ The conflation of protests over the devastating social costs of ESAP with demands for constitutional reform, and the violent push for land reform set Zimbabwe on a conflict trajectory which quickly degenerated into cycles of disputed elections outcomes and political violence in the absents of immediate solutions.⁵³² The veterans of the liberation struggle, with co-optation by ZANU PF pushed for rapid land redistribution, triggering the Fast Track Land Reform, which was widely criticised by the Western international community, eventually leading to the breakdown of diplomatic relations with the government of Zimbabwe. Civil society, the student's movement, academics, religious leaders and opposition figures came together to form the MDC⁵³³ with the support of the Western international community, triggering deep violent political polarization which plunged the country into conflict with elections disputes as the major front.

3.4.1 Governance, Corruption and Politics of Patronage in Zimbabwe

Endemic corruption in Zimbabwe is probably one of the major problems whose implications for democracy are understated, and understudied, especially abuse of public office for personal gain, and to maintain political power.⁵³⁴ The most problematic characteristic of institutionalised corruption in Zimbabwe was that it became systematic, allowing the key actors in government to identify their personal interests together with those of ZANU PF. There are suggestions that the key levers of the state and government were controlled by powerful elites whose ill-gotten wealth and insulation from legal liability depended on their control of the state and government, hence the resort to zero-sum political rivalry. The role of political elites, the security and military institutions in the 2008 election deadlock was to an extent motivated by the need to protect personal wealth and shield many ZANU PF elites from any possible future prosecution. Understood in this way, corruption fed into the Zimbabwe democratization conflict, at the same time becoming a major challenge for exiting the conflict.

⁵³¹ Alexander, J. and Macgregor. J.2013. Introduction: Politics, Patronage and Violence in Zimbabwe, *Journal of Southern African Studies*, Vol. 39, Issue 4.

⁵³² Alexander, P.2000. Zimbabwean Workers, the MDC & the 2000 Election, *Review of African Political Economy*, Volume 27, Issue 85, pp. 385-406.

⁵³³ Raftopoulos, B.2000.The Labour Movement and the Emergence of Opposition Politics in Zimbabwe, *Labor, Capital and Society/Travail, capital et societe*, [https://www.jstor.org/stable/43158172? pg.256-286](https://www.jstor.org/stable/43158172?pg.256-286).

⁵³⁴ Nyoni, T.2017. The Curse of Corruption in Zimbabwe, *International Journal of Advanced Research and Publications*, Volume 1 Issue 5, pp. 285-290.

Corruption in Zimbabwe was the pillar of the ZANU PF political system and a form of partisan systemic patronage.⁵³⁵ In addition to historical official scandals since the 1980s, corruption reached new heights during the 2000s, informally becoming a way of doing business and a method for economic accumulation by powerful military-political elites in government and ZANU PF.⁵³⁶ Corruption had a negative impact on economic development, as well as the emergence and survival of democracy as vested interests prevented democratic institutionalisation to perpetuate their illicit gains and shield themselves from accountability.⁵³⁷ Successive corruption scandals including multiple farm ownership during the FTLR raised public ire and serious government criticism, feeding into growing agitation against ZANU PF rule.⁵³⁸

Systemic patronage and institutionalised corruption within government was strategically used over the years to buy the loyalty of key institutions and actors of government such as the Executive, the Judiciary, Parliament, security institutions, the government controlled media, local government institutions, government commissions, rural community leaders, chiefs, headman and the complex societal structures knitted together under the centre, through various illicit systemic rents illegally accruing to key actors and their allies.⁵³⁹ Corruption became a leitmotif of the Zimbabwean social and political fabric, pervading the land reform and the looting of diamonds by political elites and securocrats since 2008.⁵⁴⁰ The former Minister of Higher and Tertiary Education threatened to publicly provide evidence linking the military and political elites to rampant corruption which however was not investigated or prosecuted.⁵⁴¹

Corruption and state patronage are the lubricant and glue that has kept the ZANU PF dictatorship together and running, ensuring that the key levers of the political system are

⁵³⁵ Chigwata, T. 2020. Endemic Corruption in Zimbabwe, Why Corruption Agencies are Ineffective, in C M. Fombad and Nico Steytler, Eds. Corruption and Constitutionalism in Africa, Revisiting Control Measures and Strategies, Oxford, Oxford University Press.

⁵³⁶ Mwatwara W., Mujere J. 2015. Corruption and the Comrades: Mugabe and the “Fight” against Corruption in Zimbabwe, 1980–2013. In: Ndlovu-Gatsheni S.J. (eds) Mugabeism? African Histories and Modernities. Palgrave Macmillan, New York.

⁵³⁷ Moreno, A. 2002. Corruption and Democracy, A Cultural Assessment, Comparative Sociology, Volume 1: Issue 3-4, pp.495-507.

⁵³⁸ Chiweshe, M.K.2017. Africa Insight - Analysis of land-related corruption in Zimbabwe, Africa Insight, Volume 46 Number 4, pp. 112 – 124.

⁵³⁹ GAN Business Anti-corruption, ‘The Zimbabwe Corruption Report’, May 2016. <http://www.business-anti-corruption.com/country-profiles/zimbabwe>, Viewed 13 January 2020

⁵⁴⁰ ‘Corruption: ZANU PF’s Grim Legacy’, The Zimbabwe Independent 24 March 2016, Viewed 12 January 2020, <https://www.theindependent.co.zw/2016/03/24/corruption-zanu-pfs-grim-legacy/>, Viewed 12 January 2020.

⁵⁴¹ ‘Moyo Threatened to Spill the Beans against Corrupt Rivals’ New Zimbabwe 1 November 2016, Viewed 13 January 2020.



unimpeachable.⁵⁴² Although scandals of corruption within the public sectors ignited the earliest critique to the ZANU PF regime through mass protests, the government consistently turned a blind eye to all cases of corruption. The many reported major scandals of corruption since 1980 implicate members of the Executive, the Judiciary, Ministers, important members of the ruling party and the first family.⁵⁴³

President Robert Mugabe has since 1980 presided over cancerous corruption as manifested by several historic scandals implicating some of the highest authorities, including the first family and government Ministers and military elites.⁵⁴⁴ From the 2000s government run financial initiatives at the Reserve Bank of Zimbabwe meant to combat the impact of Western sanctions freely allowed partisan opaque, unaccountable syndicates to run under the nose of the government and the President, unleashing a spiral of sleaze and rent-seeking behaviour in nearly all institutions of government and the state. Corruption led to spiralling socio-economic depredation already aggravated by Western economic sanctions and skyrocketing historically unprecedented inflation which resulted in total economic collapse by 2008.⁵⁴⁵

ZANU PF used the military to totally control the production of diamonds, creating a parallel process and structures of channelling out diamond revenue for partisan political gain and self-enrichment, while rewarding loyalty and co-opting all state institutions and their dominant elites.⁵⁴⁶ This sealed the fate of the military and security institutions and its elite actors as embedded partisan actors promoting the ZANU PF agenda at the cost of national aspirations. The government and ZANU PF also dished illegal small-scale mining licences to their supporters fuelling a partisan illegal informal economy organised around gold and mining.⁵⁴⁷

⁵⁴² The Zimbabwe Situation, Robert Mugabe's Corruption 1980-2014 - Zimbabwe Situation <https://www.zimbabwesituation.com/news/zimsit-m->, Viewed 20 October 2020.

⁵⁴³ The Africa Report, 'Southern Africa: Mugabe and Wife Appear on Most Corrupt List', 20 September 2012, <http://www.thezimbabwean.co/2016/05/robert-mugabes-corruption-1980-2014/> Viewed 15 October 2020.

⁵⁴⁴ Coltart, D. 2008. 'A Decade of Suffering in Zimbabwe: Economic Collapse and Political Repression under Robert Mugabe', CATO Institute, Development Policy Analysis No.5. <https://www.cato.org/>, Viewed 20 October 2020.

⁵⁴⁵ Gono, G. 2008. Zimbabwe's Casino Economy. Extraordinary Measures for Extraordinary Challenges, Harare, Zimbabwe Publishing House.

⁵⁴⁶ Mlambo A.S. 2015. Mugabe on Land, Indigenization, and Development. In: Ndlovu-Gatsheni S.J. (eds) Mugabeism? African Histories and Modernities. Palgrave Macmillan, New York.

⁵⁴⁷ Mawowa, S. 2013. 'The political economy of artisanal and small-scale gold mining in central Zimbabwe', Journal of Southern African Studies 39(4), pp. 921-936.

3.4.2 Liberalisation and Democratic Roll-Back

The 1990s marked a political paradox in Zimbabwean politics as the government adopted the Bretton Woods-sponsored economic and political liberalization programme under ESAP, denominated by authoritarian repression, which was quickly followed by democratic roll-back mainly after 2000. Much of the literature on democratic transitions identifies political liberalization as a process of political and economic opening which renders momentum towards democratic transition,⁵⁴⁸ positing that emerging opposition political parties, flourishing civil society, civil liberties, freedom of the press, expression and association provide impetus for organised political opposition to challenge the status quo.⁵⁴⁹ They further suggest that the role of trade unions, and their capacity to organise and mobilise critical constituencies and economically interlinked masses based on livelihood issues gives them important potency in rallying the population for democratic action as collective actors.⁵⁵⁰ While political ferment and dissent was ignited during the phase of political liberalization in Zimbabwe, private media and opposition parties increased, the same period marked serious democratic roll-back, which worsened after the 2000s.

The rise and escalation of protests against the government in 1997 and 1998 marked a point of no return as ZANU PF resorted to clampdown of civil society, the labour movement and the student unions.⁵⁵¹ Reports of sensitive issues critical of the government resulted in arrests and torture of media practitioners violating freedoms of the media.⁵⁵² The ruling ZANU PF regime remained prickly and intolerant, although it allowed many independent newspapers to be founded between 1998 and 2000, while the state exclusively retained firm control of public radio and television, the main source of information in Zimbabwe.⁵⁵³ Since 1998, the government harassed media practitioners, and in the 2000s legislated tight control over the private media, for example, although print media such as the Financial Gazette, the Zimbabwe Mirror, the Newsday, the Daily News and the Zimbabwe Independent robustly represented free

⁵⁴⁸ O'donnell, G and Schmitter, P.C. 2013. Transitions from authoritarian rule: Tentative conclusions about uncertain democracies, Baltimore, John Hopkins University Press.

⁵⁴⁹ O'donnell, G and Schmitter, P.C. 2013. Transitions from authoritarian rule: Tentative conclusions about uncertain democracies, Baltimore, John Hopkins University Press.

⁵⁵⁰ Collier, B.R. and Mahoney, J. Adding Collective Actors to Collective Outcomes. Labour and Recent Democratization in South America and Southern Europe, in L. Anderson, Transitions to Democracy, New York, Columbia University Press.

⁵⁵¹ Mair, S. and Sithole, M. 2002. Blocked Democracies in Africa: Case Study of Zimbabwe, Harare, Konrad Adenauer Stiftung.

⁵⁵² Mukasa, S.G. 2003. Press and Politics in Zimbabwe, African Studies Quarterly, Volume 7, Issues 2 & 3, pp.172-183

⁵⁵³ Mukasa, S.G. 2003. Press and Politics in Zimbabwe, African Studies Quarterly, Volume 7, Issues 2 & 3, pp. 172-183



press and free expression, they had to contend with serious media clampdown and repression.⁵⁵⁴

Since 2000, ZANU PF passed a flurry of controversial laws such as the Public Order and Security Act (POSA) of 2002, and Access to Information and Protection of Privacy Act (AIPPA) of 2003 to constrain freedoms of expression, association, and movement directly inhibiting sharing of information necessary for free democratic expression and accountability.⁵⁵⁵ Many journalists and political activists were arrested and charged under POSA and AIPPA, for example, the arrest, torture and prosecution of Mark Chavhunduka and Ray Choto, journalists at the Zimbabwe Standard newspaper,⁵⁵⁶ marked a new trend of human rights violations against media practitioners and civil society activists. In 2003 the largest daily independent newspaper, the Daily News was closed,⁵⁵⁷ and thereafter its printing press was bombed,⁵⁵⁸ eventually closing media space, while using arrests, intimidation, policy and legal bottle necks to control political rights and civil liberties, including freedoms of association and expression.

Following its near defeat in the 2000 elections, ZANU PF moved to coercively capture independent state institutions such as the Judiciary, by pressuring independent Judges to quit, replacing them with party loyalists.⁵⁵⁹ The ruling party also recoiled into nationalist liberation war type of coercive politics, squandering its post-independence democratic state building project. Between 2000 and 2008, this repressive trend had pushed the Zimbabwean society into violent intolerant conflictual partisan polarisation between those who backed ZANU PF against the opposition MDC, locking the country into intrastate democratization conflict which paralysed the state, deepened socio-economic crisis and domestic illegitimacy.

3.4.3 The Land Question and Intrastate Democratisation Conflict

⁵⁵⁴ Mukasa, S.G.2003. Press and Politics in Zimbabwe, African Studies Quarterly, Volume 7, Issues 2 & 3, pp. 173-183

⁵⁵⁵ Mair, S. and Sithole, M.2002. Blocked Democracies in Africa: Case Study Zimbabwe, Harare, Konrad Adenauer Stiftung

⁵⁵⁶ UNHCR, 1999. Attacks on the Press in 1999 – Zimbabwe, <https://www.refworld.org/docid/47c565cd23.html?>, Viewed 25 November 2020.

⁵⁵⁷ The Guardian, Mugabe closes down critical newspaper, <https://www.theguardian.com/world/2003/sep/14/zimbabwe.andrewmeldrum>, viewed 20 November 2020.

⁵⁵⁸ The Telegraph, Bomb wrecks Zimbabwe newspaper's printing press, 21 January 2001, <https://www.telegraph.co.uk/news/>.

⁵⁵⁹ Human Rights Watch, V. A Compromised Judiciary, <https://www.hrw.org/reports/2008/zimbabwe1108/5.htm>, viewed 28 November 2020.



The land question was probably the most critical issue at the intersection of the Zimbabwe intrastate democratization conflict, as a historical and contemporary socio-economic and political problem. By far, the FTLR attracted unrelenting international pressure, and regional attention because of its interlinked regional and international implications for land reform and politics in the SADC subregion, and Africa as a whole.

The pressure for land reform gained more impetus after 1990 at the expiry of the Lancaster House constitutional moratorium prescribing a freeze on land reform. Amidst growing economic decline, Claire Short, the Secretary of State for International Development in the British government wrote a letter redefining the British government's view over land reform in Zimbabwe.⁵⁶⁰ This letter was largely interpreted by ZANU PF to mean that Britain had reneged on its colonial responsibility as agreed at the Lancaster House negotiations over land reform, torching a deep acrimonious diplomatic gulf between the British Labour government and the ZANU PF government.⁵⁶¹ From 1998 the land issue dominated public and political discourse in Zimbabwe, while the War veterans demanded access to land, and vigorously pushed for land redistribution. In June 1998, the government gazetted the compulsory Land Reform and Resettlement Program Phase 11 Framework, leading to the land reform donor conference of September 1998, while intensifying the politicisation of the land issue.⁵⁶² The land conference was overtaken by rapidly changing political dynamics in Zimbabwe, as farms invasions escalated towards campaigns for a constitutional referendum, and later, the 2000 and the 2002 Parliamentary and Presidential elections, which marked new heights in violent elections rivalry between ZANU PF and the MDC and its civil society allies backed by the Western international community.

Admittedly, the FTLR was characterised by gross human and property rights violations,⁵⁶³ however, the land question was deeply rooted in the need to address the socio-economic rights of the majority black people in Zimbabwe. Zimbabwe faced sporadic protests over land reform since 1980, which were repressed by the government with the passive support of the Western international community, to maintain the status quo. Zimbabwe faced a desperate need for

⁵⁶⁰ New African. 2007. Clare Short: One Bad Letter with Long-Lasting Consequences, Volume/Issue: No. 462 <https://www.questia.com/magazine/1G1-163941162/clare-short-one-bad-letter-with-long-lasting-consequences>, Viewed 20 August 2020.

⁵⁶¹ Tendi, B.M. 2014. The origins and functions of demonisation discourses in Britain–Zimbabwe relations (2000–), Journal of Southern African Studies Volume 40, Issue 6, pp.1251-1269.

⁵⁶² Laurie, C.2017. The Land Reform Deception, Political Opportunism in Zimbabwe's Land Reform, Oxford, Oxford University Press.

⁵⁶³ Human Rights Watch, The Fast Track Land Reform, 8 March 2002, <https://www.hrw.org/report/2002/03/08/fast-track-land-reform-zimbabwe>, Viewed 20 August 2020.



land redress, providing access to the majority of black people who needed land for subsistence and commercial agriculture, allowing them broader opportunities in economic participation. Agriculture remains the main source of livelihoods and business in Zimbabwe, hence the country was dubbed the breadbasket of Africa.

From By 2000, about 4,500 white farmers had forcibly been moved out of their farms, allowing land to be redistributed to around 300,000 Black Zimbabweans to redress colonial land imbalances⁵⁶⁴ during the 2000s, leaving 200 white commercial farmers in their land.⁵⁶⁵ As of 2011, the redistributed land acquired since 2000 amounted to about 10,816,886 hectares, compared to the 3,498,444 purchased under the voluntary willing-buyer-willing seller.⁵⁶⁶

The liberal democratic discourses on the land reform have focused on the partisan politicization of land reform, corruption linked to distribution and access to land, violation of human rights, civil liberties and democratic rights as expressed during the FTLR since 2000. They further suggest that FTLR was chaotic, coercively executed through the agency of the state, the ZANU PF party and liberation war veterans and ZANU PF militia.⁵⁶⁷ The sudden movement of voters changed the population distribution, allowing ZANU PF to unilaterally redefine the delimitation of constituencies and manipulate the electoral process through partisan gerrymandering, further fuelling election disputes. In addition to compulsorily seizing land without compensation, commercial farm workers were thrown out of their jobs. War veterans camped in commercial farms turning them into political bases where opposition supporters were abducted, tortured, intimidated, and raped, while some white farmers were murdered.⁵⁶⁸

The MDC criticized the ZANU PF approach to land reform as politicized, and the violation of human rights and property rights. The Western international community stuck with the technocratic approach, the willing-buyer-willing-seller, which failed to transfer land to the

⁵⁶⁴ Reuters, Zimbabwe Agrees to Pay \$3.5 Billion Compensation to White Farmers, 29 July 2020, <https://www.reuters.com/article/us>, Viewed 20 August 2020.

⁵⁶⁵ Aljazeera, Zimbabwe Foreign White Farmers can Apply to get Seized Land Back, <https://www.aljazeera.com/economy/2020/9/1/zimbabwe-foreign-white-farmers-can-apply-to-get-seized-land-back>, Viewed 20 August 2020.

⁵⁶⁶ Country Analysis Report For Zimbabwe, 10 August 2010, Government of Zimbabwe /United Nations Country Team, http://www.undg.org/docs/12123/Zimbabwe-Country-Analysis-2010-Report_05-09-11.pdf, Viewed 20 August 2020.

⁵⁶⁷ Cliffe, L., Alexander, J., Cousins, B. and Gaidzanwa, R.2011. An overview of Fast Track Land Reform in Zimbabwe: editorial introduction, The Journal of Peasant Studies, Volume 38, Issue 5: Special Issue on Fast Track Land Reform in Zimbabwe, pp. 907-938.

⁵⁶⁸ Human Rights Watch, The Fast Track Land Reform: Human Rights Violations, <https://www.hrw.org/legacy/reports/2002/zimbabwe/ZimLand0302-03.htm>, Viewed 21 August 2020



majority of black people. They further called for an end to FTLR, while mobilizing allies to impose sanctions on Zimbabwe since 2002 further aggravating conflict in Zimbabwe.

Proponents of the Fast Track Land Reform view it as unprecedented national democratic revolution,⁵⁶⁹ while celebrating the agency of the peasants in exercising their democratic rights in fighting exclusion to empower themselves.⁵⁷⁰ ZANU PF called it the Third Chimurenga, a revolution to complete the stalled agenda of the national liberation struggle.⁵⁷¹ The Fast Track Land Reform invoked emotive politics of land, into the intrastate democratization conflict in Zimbabwe. Contra liberal democratic NGOs, war veterans as civil society, challenge the status quo, exercise their agency in transforming the neo-classical capitalist mode of agricultural production which continued to marginalise the majority of black people after independence.⁵⁷²

According to ZANU PF, western criticism of its land reform and radicalised domestic politics was informed and motivated by collective racist animosity to the correction of historical injustices pervading much of post-colonial Southern Africa, by supporting the former white settler kith and kin. After holding back on land reform for a decade, in line with the terms of the Lancaster House settlement, ZANU PF embraced and presided over the FTLR,⁵⁷³ eliciting devastating reciprocal sanctions, financial and logistical support for the domestic opposition from the West to push ZANU PF out of power, as the end game to the Zimbabwe conflict.

The land seizures were initiated by veterans of the liberation struggle who were protesting their marginalisation, deplorable living conditions, poverty, to push the indecisive ZANU PF government to address the land reform.⁵⁷⁴ In the face of growing opposition, and impending constitution referendum in 2000, ZANU PF capitulated,⁵⁷⁵ co-opting the War Veterans into the centre of what became polarised violent campaigns since 2000.⁵⁷⁶

⁵⁶⁹ Moyo, S., and Yeros, P. 2007. The radicalised state: Zimbabwe's interrupted revolution. *Review of African Political Economy*, 34(111), pp. 103-121.

⁵⁷⁰ Moyo, S., and Yeros, P., 2005. Introduction, in S Moyo and P. Yeros, (Eds.). 2005. *Reclaiming the land: The resurgence of rural movements in Africa, Asia and Latin America*. Zed Books.

⁵⁷¹ Mugabe, R.G.2000. *The Land is the Economy, and the Economy is the Land*, Harare, Jongwe Printers.

⁵⁷² Sadomba, Z.W. 2011. *War Veterans in Zimbabwe's Revolution: Challenging Neo-colonialism and Settler and International Capital*, Harare, Weaver Press.

⁵⁷³ Laurie, C. 2017. *The Land Reform Deception, Political Opportunism in Zimbabwe's Land Reform*, Oxford, Oxford University Press.

⁵⁷⁴ Andrew, N. and Sadomba, W. 2006. Zimbabwe: Land Hunger and the War. *Veteran-led Occupations Movement in 2000*, *Critique internationale* Volume 31, Issue 2, pp. 125 -144.

⁵⁷⁵ Laurie, C. 2017. *The Land Reform Deception, Political Opportunism in Zimbabwe's Land Reform*, Oxford, Oxford University Press.

⁵⁷⁶ Sadomba, Z.W. 2011. *War Veterans in Zimbabwe's Revolution: Challenging Neo-colonialism and Settler and International Capital*, Harare, Weaver Press.



The land issue became an overriding subject as a ZANU PF sought to recapture the state, political power and rollback growing opposition from the surging opposition, of the MDC.⁵⁷⁷ ZANU PF also pushed to address one of the major legacy causes of the liberation struggle, an issue which attracted many indigenous Zimbabweans to take up arms against the settler regime and to support the liberation struggle.⁵⁷⁸

The land question stood out as a major symbol of racist colonial oppression which all former white settler colonies have not been able to comprehensively resolve after the transition from colonial rule. Historical grievances over the land issue run deep, are emotive and sensitive and touch regional citizens of Southern Africa and the African continent. It presents a major thread knitting pan-African solidarity through its singular dramatization and reminder of the generalised conditions of colonial injustice, marginalization and oppression amongst the African population in the continent and much of the Global South, hence a source of solidarity from the Global North. The failure by post-settler colonial regimes and the international community to permanently resolve the land issue left a potentially potent source of national conflicts.

The demand for land redistribution in Zimbabwe, as well as in the sub-region is a constant reminder of the economic deficiencies and political limitations of the colonial settlements which over-emphasised the transfer of political power and provision of civic and political rights without comprehensively resolving historical structural grievances. The post-colonial elite authoritarian material accumulation and consolidation of political power in the face of domestic and international indifference to addressing the land question and issues of broader agrarian reform and economic participation became a political powder keg whose implosion in the form of widespread farm invasions seizure of white-owned farms with government support plunged Zimbabwe in a conflict.

As a colonial grievance, the land question implicates identity politics and structural violence committed under colonial domination against the black populations of Zimbabwe for nearly a century. The contemporary focus on human rights dimensions excesses of FLTR,⁵⁷⁹ while

⁵⁷⁷ Laurie, C.2017. *The Land Reform Deception, Political Opportunism in Zimbabwe's Land Reform*, Oxford, Oxford University Press.

⁵⁷⁸ Moyo, S. 2000. *The Political Economy of Land Acquisition and Redistribution in Zimbabwe, 1990-1999* Journal of Southern African Studies, Vol. 26. (1), pp.5-28.

⁵⁷⁹ Ann Hellmann, Zimbabwe: One Million Casualties of Land Reform, Inter Press Service News Agency, 25 January 2010, <http://www.ipsnews.net/2010/01/zimbabwe-one-million-casualties-of-land-reform/>, viewed 26 Marc 2019.



overlooking its historical context glosses over the broader context of the Zimbabwe conflict. The exploitative dual legacy of colonial agriculture and mining under a capitalist political economy,⁵⁸⁰ anchored on a semi-feudal racially oppressive agrarian system⁵⁸¹ and a semi-slavery mining political economy left Zimbabwe deeply racially polarized.⁵⁸²

Colonial legislation such as the Orders in Council of 1893 onwards, the Land Husbandry Act (LHA) and the Land Apportionment Act (LAA) legitimised systematic land dispossession from blacks who were moved to crowded agriculturally poor land called the reserves.⁵⁸³ The development of colonial capitalist agriculture and mining destroyed peasant agriculture, leaving the black majority impoverished.⁵⁸⁴ Structurally racist colonial agrarian and commercial reorganization of agriculture and industrialization economically dispossessed and disenfranchised the majority black people turning them into cheap labour for nascent settler capitalist industry, mining and agriculture.⁵⁸⁵ Accordingly the land issue took broader property dimensions as the Rhodesian state imposed and enforced racist semi-feudal system of land ownership under racially exclusive colonial modernity.

The land issue also took interconnected spiritual, cultural and economic importance amongst Africans who view land symbolically in its simultaneous materialistic, socio-cultural, economic and political symbolism hence it is a potent, albeit sensitive political weapon and a major historical grievance with serious implications for political stability and democratization.

The timing of the FTLR has generated polarised debate, particularly the view that ZANU PF should have attended to the land issue in 1990, at the expiry of the Lancaster House settlement. Proponents of the FTLR face the dilemma of disaggregating politically opportunistic distributive policies and violence, in making a strong case for the legitimacy and need for comprehensive transformative land reform. Critics of land reform lambast support for the FTLR as backing ZANU PF and widespread violation of human and property rights which it has

⁵⁸⁰ Palmer, R.H. 1977. *Land and Racial Domination in Rhodesia*, London, Heinemann.

⁵⁸¹ Palmer, R.H. 1977. *Land and Racial Domination in Rhodesia*, *ibid*.

⁵⁸² Phimister, I.R. 1974. Peasant Production and Underdevelopment in Southern Rhodesia, 1890-1914, *African Affairs*, Vol 73, Issue, 291.

⁵⁸³ Palmer, R. 1977. *Land and Racial Discrimination in Southern Rhodesia*, *ibid*.

⁵⁸⁴ Palmer, R. 1977. *Land and Racial Discrimination in Southern Rhodesia*, Berkeley, UCLA Press.

⁵⁸⁵ Van Onselen, C. 1975. Black Workers in Central African Industry: A Critical Essay on the Historiography and Sociology of Rhodesia, *Journal of Southern African Studies*, Vol. 1, No. 2. pp.228-246.

Johnson, D. 1992. Settler Farmers and Coerced African Labour in Southern Rhodesia, 1936–46 Vol 33. Issue 1, <https://www.cambridge.org/core/journals/journal-of-african-history/article>.



perpetrated since 2000.⁵⁸⁶ A thorough reading of the literature on the FTLR and agrarian question in Zimbabwe raises the dilemma of falling into polarised partisan traps, semblances of apologetic kowtowing to one narrative or the other.⁵⁸⁷ As necessary as the land reform is, the largely reactive, possibly opportunistic partisan stridently aggressive FTLR launched by ZANU PF in 2000 following failed rapprochement between Western donors, multilateral institutions and ZANU PF government since 1990, was late, chaotic, poorly thought out, but probably a politically necessary process in the face of a deadlock amongst the major players in the resolution of the land question.

The FLTR was characterised by extensive violence, white farmers lost land, crops, animals and agricultural infrastructure and other property. Millions of black farm workers faced job losses, displacement, politicized violent attacks, intimidation, loss of livestock, other properties. On the flip side, and within this chaos, millions of Zimbabweans got access to much needed land, albeit without adequate resources or institutional support to effectively utilise the land.⁵⁸⁸ More than that, the FTLR became the fulcrum around which the defiant iconic image and the symbolic pan-African gladiator image of Mugabe were reinvented and forged to continental and international acclaim, masking its domestic and experiential contradictions amongst Zimbabweans.

The FLTR in particular and the Zimbabwe crisis in general polarized academic analysis, public opinion and political activism domestically, regionally and internationally.⁵⁸⁹ No single academic contribution on the land question in Zimbabwe, the process of the FLTR and the implication of the land reform to democratization and political stability dramatises the polarization and controversy that characterized the debate more than Mamdani's *Lessons of Zimbabwe*.⁵⁹⁰ The academic reactions to his article signify the broad binary of attitudes in the framing of the Zimbabwe intrastate democratization conflict, with Mamdani incisively locating the crisis in the structural colonial legacy and the need to resolve such⁵⁹¹ and the liberal democratic constitutionalists who were critical of Mamdani, advancing a human rights and

⁵⁸⁶ Sam, M. and Yeros, P. 2005. "Resurgence of Rural Movements Under Nationalism" in S. Moyo and P. Yeros (eds) *Reclaiming the Land: The Resurgence of Rural Movements in Africa, Asia and Latin America*, London, Zed Books.

⁵⁸⁷ Sam, M. and Yeros, P. 2005. "Resurgence of Rural Movements Under Nationalism" in S. Moyo and P. Yeros (eds) *Reclaiming the Land: The Resurgence of Rural Movements in Africa*.

⁵⁸⁸ Scoones, I. 2011. *Zimbabwe's land reform – Myths and Realities*, Sussex, University of Sussex

⁵⁸⁹ Gatsheni Ndlovu, S. 2006. *The Nativist Revolution and Development Conundrums in Zimbabwe*, ACCORD Occasional Paper Series: Vol1, Number 4

⁵⁹⁰ Mamdani, M. 2009. *Lessons of Zimbabwe, Mugabe in Context*, Concerned African Scholars, Bulletin No.82, www.concernedafricascholars.org/, Viewed on 28 January 2020

⁵⁹¹ Mamdani, M. 2009. *Lessons of Zimbabwe, Mugabe in Context*, Concerned African Scholars, ibid



market-based approach. Their arguments posited that Mugabe simply unjustifiably used the historical structural legacy of colonialism to justify his regime's dictatorship and brutal hold on state power against democratic opposition in the face of increased pressure for democratic transition.⁵⁹²

The nationalist-nativist arguments were propounded by the establishment in Zimbabwe⁵⁹³ and widely supported by a line of scholarship which loosely identified with the radical left.⁵⁹⁴ Pan-Africanism and the aspirations for African nationalism, advocating for broader political and economic emancipation for Africans in Zimbabwe.⁵⁹⁵ Its proponents pointed to ZANU PF distributive policies and the indigenization of the broad economy to native black people as progressive.⁵⁹⁶ They further argued that the punitive reaction to the FTLR by the West, especially the imposition of sanctions since 2002, simply sought to derail the FTLR, with demonstrative effects to former colonies that the route taken by Zimbabwe was basically destructive, hence Zimbabwe plunged into conflict and deepening socio-economic crisis.⁵⁹⁷ They further posit that the neo-liberal market based legalistic manner of land distribution was futile and unprogressive, hence the FTLR was justified.⁵⁹⁸ Although in terms of its character and dynamics the violent farm invasions took the form of a spontaneous campaign led by disgruntled veterans of the liberation struggle,⁵⁹⁹ by 2000 the farm invasions had been firmly captured by the state which co-opted the war veterans into partisan, state and government elite rank and file, while deploying the military-security actors to organize, control and operationalise the FTLR on a national scale,⁶⁰⁰ thus locating the land question at the centre of the Zimbabwe conflict.

3.5 Demand for a New Constitution, Constitutionalism and Democratic Contestation

⁵⁹² Yeros, P and Moyo, S.2007. The Radicalized State: Zimbabwe's Interrupted Revolution: Debates on the Left in Southern Africa, Review of African Political Economy, Vol 34. Issue 111, pp. 103-121

⁵⁹³ Yeros, P and Moyo, S.2007. The Radicalized State: Zimbabwe's Interrupted Revolution: Debates on the Left in Southern Africa, Review of African Political Economy, Vol 34. Issue 111, pp. 103-121

⁵⁹⁴ Yeros, P and Moyo, S.2007. The Radicalized State: Zimbabwe's Interrupted Revolution, *ibid*

⁵⁹⁵ Yeros, P and Moyo, S.2007. The Radicalized State: Zimbabwe's Interrupted Revolution, *ibid*.

⁵⁹⁶ ZANU PF Election Manifesto, 2000. Land is the Economy and the Economy is the Land, Harare, Jongwe Printers.

⁵⁹⁷ Mamdani, M.2009. Lessons of Zimbabwe, Mugabe in Context, Concerned African Scholars, *ibid*

⁵⁹⁸ Sadomba, Z. 2011. War Veterans in Zimbabwe's Revolution, Challenging Neo-colonialism, and Settler and International Capital, Oxford, James Currey.

⁵⁹⁹ Sadomba, Z.W. 2011. War Veterans in Zimbabwe's Revolution, Challenging Neo-colonialism, and Settler and International Capital, Oxford, James Currey.

⁶⁰⁰ MacCandles. E.2011. Polarization and Transformation in Zimbabwe: Social Movements, Strategy Dilemmas and Change, *ibid*.



The importance of constitutions in democratic governance cannot be over stated. A constitution seeks, among other things, to regulate the relationship between the governors and the governed by protecting the freedoms of the citizens by demarcating the duties, responsibilities and limits of the power of government given that political power could be persuasive, coercive or a combination of both.⁶⁰¹ The constitution and constitution-making processes are influenced by historical conditions and the character of politics in a specific polity while governing elites and citizens are obliged to adhere to the constitution.⁶⁰²

Constitution or law -making is a political process which in some cases has led to violent revolutions or elite bargaining to achieve governing charter. A constitution as a national governance charter should ideally reflect the will of the people, and is the sole sovereign law of the land.⁶⁰³ Contentious liberal constitutionalism was introduced under the repressive racist settler regime to subvert the African population, while entrenching the colonial interests. In spite of gaining independence in 1980, Zimbabweans continued to be governed under the Lancaster House charter, replete with its authoritarian laws, some of which were amended to consolidate power since 1987.

The struggle for a new constitution in Zimbabwe torched violent confrontation between the ruling ZANU PF, against civil society formations and later the MDC formations. Since the 1990s, Zimbabweans demanded a broadly inclusive constitution realised through the participation of all Zimbabweans, reflecting their sovereign will as a nation. Secondly, Zimbabweans rejected the authoritarian Lancaster House settlement which was incrementally amended by ZANU PF to consolidate its hold on power, turning Zimbabwe into a party state. By all ends, since its sweeping unilateral detested amendments in 1987, the Lancaster House constitution as amended, reflected ZANU PF power.

Under pressure from civil society, ZANU PF conceded to a new constitution process and the subsequent referendum in 2000. However , civil society formations rejected the government driven process and constitution outcome, opening the demand for new constitution as one of the most enduring conflict fronts during the 2000s, dividing the country between ZANU PF and

⁶⁰¹ Mapuva, J. 2012. The Trials and Tribulations of Constitutionalism and the Constitution Making Process in Zimbabwe, *Alternatives Turkish Journal of International Relations*, Vol. 11, No. 1, pp.111-126.

⁶⁰² Mapuva, J. 2012. The Trials and Tribulations of Constitutionalism and the Constitution Making Process in Zimbabwe, *Alternatives Turkish Journal of International Relations*, Vol. 11, No. 1, pp.111-126.

⁶⁰³ Zembe, W. 2009. *Constitutionalism in Zimbabwe: Unfinished Business: A People-Driven Process*, Weaver Press, Harare.



an emerging coalition of civil society which quickly coalesced into the MDC formations.⁶⁰⁴ Although the ZANU PF government relented to pressure for a home-grown constitution, the already emerging societal polarization reflected in the disagreements over the control, path, process and institutions for achieving a national constitution. Zero-sum campaigns between the coalition of civil society formations led by the National Constitutional Assembly and ZANU PF reflected dangerous conflictual societal divisions, which triggered strikes and protests, against counter violent repression by the government.⁶⁰⁵

Fundamentally, civil society formations rejected the continued invocation of the colonial law and order statutes, and the executive power amendments of 1987. ZANU PF infused clauses for compulsory acquisition of land for redistribution to black Zimbabweans, while civil society focussed on democratic rights, civil liberties and rule of law. The Lancaster House constitution protected the socio-economic status quo, dangerously perpetuating structural inequality, especially with respect to the sensitive land question, and broader economic marginalisation. ZANU PF sought to reconstitute the political-legal order allowing unfettered land redistribution through the new constitution. However, in the context of its eroding power base, the ruling party sought to reconstitute its power and reassert its rule. In the face of growing widespread socio-economic frustrations, Zimbabweans were discontented with the inherited colonial oppressive, repressive constitutional and legal order, as well as ZANU PF rule. Civil society formations pushed for the new constitution to realise a liberal democratic order, while raising their discontent with ZANU PF rule.

The National Constitutional Assembly (NCA), Zimbabwe Congress of Trade Unions (ZCTU), ZINASU led an opposition front for institutionalised civil society formations calling for a new constitution. Leaders of the ZCTU drew on their collaborative synergised resistance to the widespread corruption, the one-party state agenda and the introduction of the Economic Structural Adjustment Programme, 1990-1999, to cooperate with other civil society institutions to intensify campaigns for a new democratic constitution since 1997.⁶⁰⁶ In 1997, the National Constitutional Assembly (NCA) was formed, bringing together churches, NGOs and unions to

⁶⁰⁴ Dorman, S. R. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion. *Journal of southern African studies*, 29(4), pp. 845-863.

⁶⁰⁵ Dorman, S. R. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion. *Journal of southern African studies*, 29(4), pp. 845-863.

⁶⁰⁶ Dorman, S. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion, *Journal of Southern African Studies*, Vol. 29, No. 4, pp. 845-863.

initiate constitutional debate and convince the government to allow a process of constitutional reform, and the writing of a new constitution.⁶⁰⁷

The Constitution Commission (CC), which was mandated to consult Zimbabweans and draft a new constitution, granting a referendum held in February 2000, led a widely inclusive and participatory process, but the constitution was rejected by Zimbabweans.⁶⁰⁸ During the constitution outreach public consultations ordinary people articulated devastating critiques of ZANU PF's political and economic policies in public meetings that were covered extensively in the media. The rejection of the government sponsored constitution process ignited escalated farm invasions, and violent political campaigns in the run up to the 2000 and 2002 parliamentary and presidential campaigns, which intensified with every election contest until 2008. From 2000, civil society formations and the MDC formations embarked on running demonstrations which inflamed the 2007 violence.

The ZANU PF loss at the 2000 referendum triggered farm invasions. Furthermore, ZANU PF exerted intense political pressure on non-compliant judges and judicial officers while at the same time rewarding its gate keepers within government institutions to cement partisan loyalty in the Judiciary, police, prisons, the army and the state security institutions, all of which were brought closer to the party, instead of the state.⁶⁰⁹ Non-partisan judges and justice officers were intimidated and eventually purged from the bench.⁶¹⁰ The Judiciary and other institutions of the state were co-opted, violating democratic norms and rule of law,⁶¹¹ leaving the justice system totally partisan.⁶¹² ZANU PF reacted to its defeat in the referendum by introducing a flurry of draconian laws which intensified conflict with the opposition MDC, and civil society.⁶¹³

⁶⁰⁷ Dorman, S. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion, *Journal of Southern African Studies*, Vol. 29, No. 4, pp. 845-863.

⁶⁰⁸ Dorman, S. 2003. NGOs and the Constitutional Debate in Zimbabwe: From Inclusion to Exclusion, *Journal of Southern African Studies*, Vol. 29, No. 4, pp. 845-863.

⁶⁰⁹ Goredema, C.2004. 'Whither Judicial Independence in Zimbabwe', in B. Raftopoulos and T. Savage (eds.) *Zimbabwe: injustice and political reconciliation*, Harare: Weaver Press, pp. 99-118.

⁶¹⁰ Saller, K.2004. *The Judicial Institution in Zimbabwe*. Cape Town: Siber Ink.

⁶¹¹ Biti, T. L. .1998. 'The Judiciary, the Executive and the Rule of Law in Zimbabwe', in S. Kayizzi-Mugerwa, A. O. Olukoshi and L. Wohlgemuth (eds) *Towards a New Partnership with Africa: Challenges and Opportunities*, Uppsala: Nordiska Afrikainstitutet, pp. 66-81.

⁶¹² De Bourbon, A. .2002. 'Zimbabwe: human rights and the independent Bar', *Advocate* 15(3),pp. 18-27.

Mapfumo, T.2005. 'Whither to, the Judiciary in Zimbabwe? A Critical Analysis of the Human Rights Jurisprudence of the Gubbay and Chidyausiku Supreme Court Benches in Zimbabwe and Comparative Experiences from Uganda'. Doctoral dissertation, Faculty of Law, University of Pretoria, Pretoria. http://www.repository.up.ac.za/bitstream/handle/2263/1145/mapfumo_t_1.pdf?sequence=1, Viewed 14 January 2020.

⁶¹³ Jafari, J. 2003. 'Attacks from Within: Zimbabwe's Assault on Basic Freedoms through Legislation', *Human Rights Brief* 10(3), pp. 6-10.

Such controversial laws as the AIPPA, POSA, the Broadcasting Services Act (BSA), and the Official Secrets Acts severely criminalised political activities leading to the brutalization, arrest and prosecution of many political activists for exercising their political rights. Former ZANU PF Secretary for legal affairs described the AIPPA bill (Access to Information and Protection of Privacy Act) as, “the most calculated and determined assault on our liberties guaranteed by the Constitution”.⁶¹⁴ The continued campaigns for a new constitution became a frontline for aggravated violent conflict, alongside other democratization contradictions until the SADC-led mediation in 2007.

3.6 Democracy, Elections and Political Instability

Although the insights into the Zimbabwe conflict are dominated by debates around democracy since 2000, previous research on democracy in Zimbabwe shows a paradox between optimism and scepticism about its prospects. Earlier studies by Sithole⁶¹⁵ and Moyo⁶¹⁶ suggested growing optimism during the 1990s based on flourishing opposition parties and dynamic electoral competition. However, electoral violence and efforts to subvert the will of the people is a historical electoral challenge of electoral contestation in Zimbabwe.⁶¹⁷ Even during the 1990s studies by Makumbe and Compagnon pointed to worrying about controlled and subverted electoral competition. Elections in Zimbabwe since 2000 were different in that they became a theatre for brazen, ideologically, ethnic and racist polarized intractable partisan rivalry which imploded into domestic instability, plunged Zimbabwe into a gargantuan constitutional crisis by 2008, threatening the prospects of political and economic stability in the SADC subregion.

Zimbabwe held regular elections based on the constitution, however, the process and outcomes were disputed, aggravating conflict. Between 1980 and 2013, Zimbabwe held nine regular constitutional national elections, five of which were held between 2000 and 2013. The frequency of elections, which were held in 2000, 2002, 2005, 2008 and 2013, averaging a national election in every two years ensured that the country was in highly mobilized violent election mode for thirteen years. Considering the well documented violence and disputes, the

⁶¹⁴ Zimbabwe Parliamentary Debates. 2002. 28(46) 29 January 2020.

⁶¹⁵ Sithole, M. 1993. Is Zimbabwe Poised for a Liberal Democracy? The State of the Opposition Parties. *Issues: A Journal of Opinion*, 1(7), pp. 26-34.

⁶¹⁶ Moyo, J. N. 1992. *Voting for democracy: A study of electoral politics in Zimbabwe*. Harare, University of Zimbabwe Publications.

⁶¹⁷ Makumbe, J. M., and Compagnon, D. 2000. *Behind the Smokescreen: The politics of Zimbabwe's 1995 general elections*. University of Zimbabwe Publications Office.



country lurched in conflictual crisis which degenerated into the collapse of government and a constitution crisis with the deadlocked 2008 elections.⁶¹⁸

The degree and scale of state perpetrated violations of human rights and civil liberties varied from one election to another. Since 2000 these violations were organized and openly orchestrated against the MDC formations and civil society, a widely popular opposition, enjoying domestic and international legitimacy. With the specific reference to the 2008 election deadlock, ZANU PF formally lost to the MDC formations for the first time in any election since 1980. Thus, the democratic violations in 2007 and 2008, reflect both long term contradictions within the Zimbabwean democratic experiment, as with ZANU PF's determination to reverse the will of the people, to retain hegemonic power through undemocratic means.⁶¹⁹

Many of the democratic violations associated with the breakdown of the democratization process since 2000 are comprehensively recorded in liberal democratic scholarship. These adversities ranged from ZANU PF's adoption of exclusionary politics and rhetoric rooted in nationalist-anti-imperialism, the FTLR,⁶²⁰ and strident anti-Western tone, which collapsed diplomatic relations with the Western international community. Mugabe and his ruling ZANU-PF party articulated their politics as a return to the unfinished business of the land agenda of the liberation struggle.⁶²¹ The FTLR targeted the small white commercial farming community that owned much of the commercial agricultural land as well as the industrial sector.⁶²² The international dimension of the ZANU PF campaign polarized relations with the British, European and American foreign interests, accusing them of propagating regime change in Zimbabwe.⁶²³

ZANU PF further adopted a three-tire electoral strategy to ensure power retention, first through imposing a series of new repressive political, legislative measures and partisan constitutional measures which inhibited political competition, legally and politically constrained campaigns by the opposition by violating freedoms of association, expression and assembly, including

⁶¹⁸ Raftopoulos, B.2002.Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101,pp. 413–426

⁶¹⁹ Masunungure, E.V.2008. The 27 June Presidential Run-off, in E.V. Masunungure, Ed. Defying Winds of Change, Harare, Weaver Press.

⁶²⁰ Raftopoulos, B.2002.Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101,pp. 413–426.

⁶²¹ Raftopoulos, B.2002.Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101, pp. 413–426.

⁶²² Raftopoulos, B.2002.Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101,pp. 413–426.

⁶²³ Raftopoulos, B.2002.Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101,pp. 413–426.



punishing media practitioners, thus impinging civil liberties, citizens and human rights.⁶²⁴ A flurry of repressive laws were passed before and after 2000 whose selective partisan application triggered confrontation with the opposition MDC formations and civil society.⁶²⁵ The partisan abuse of emergence powers widened calls for constitutional reform and political change.⁶²⁶ The amendment of the Citizenship Act disenfranchised commercial farm workers of Malawian and Zambian origin, and Zimbabweans in the diaspora viewed as potential MDC voters.⁶²⁷ Since 2000, ZANU PF reintroduced the National Youth Service to train partisan militia who were widely deployed as violent campaign shock troops, participating in rallies, intimidation and torture of opposition supporters.⁶²⁸

ZANU PF created a political system firmly anchored on hegemonic electoralism, a complex political system characterised by the holding of regular elections whose outcomes are predetermined through various strategies reminiscent of systemic domination of the electoral process, procedures, norms and values, giving very minimal chance, if any, for the victory of the opposition or transfer of political power, if the opposition won.⁶²⁹ The holding of elections simply created a political mask of democratic legitimacy, combining features of democracy with effective authoritarianism,⁶³⁰ through well-managed and controlled democratic pretensions to conceal systemic oppression, repression and electoral manipulation in order to secure domestic and international legitimacy.⁶³¹ ZANU PF politicised public institutions and resources, as the Party forged a violent partisan political campaign forged around the FTLR and other indigenisation policies.⁶³² The instrumentalization of war veterans as shock troops in coercive

⁶²⁴ Mapuva, J and Muyengwa, L. 2012. A Critique of the Key Legislative Framework Guiding Civil Liberties in Zimbabwe, Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, PER, Volume 15. No. 4, pp.125-231.

⁶²⁵ Mapuva, J and Muyengwa, L. 2012. A Critique of the Key Legislative Framework Guiding Civil Liberties in Zimbabwe, Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, PER, Volume 15. No. 4, pp.125-231.

⁶²⁶ Mair, S. and Sithole, M. 2002. Blocked Democracies in Africa, Case Study Zimbabwe, Harare, Konrad Adenauer Stiftung.

⁶²⁷ Raftopoulos, B. 2002. Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101, pp. 413–426.

⁶²⁸ Raftopoulos, B. 2002. Briefing, Zimbabwe's 2002 Presidential Election, African Affairs, 101, pp. 413–426.

⁶²⁹ Morse, Y. L. 2012. 'The era of electoral authoritarianism', World Politics 64(01), pp. 161-198.

⁶³⁰ Schedler, A. 2002. 'The menu of manipulation', Journal of democracy 13(2), pp. 36-50.

⁶³¹ Schedler, A. 2009. 'Electoral authoritarianism', in R. A. Scott and S. M. Kosslyn (eds) Emerging Trends in the Social and Behavioural Sciences: An Interdisciplinary, Searchable, and Linkable Resource. Boulder and London: Lynne Rienner Publishers.

⁶³² Laurie C. and Chan, S. 2016. The Land Reform Deception: Political Opportunism in Zimbabwe's Land Seizure Era. New York: Oxford University Press.

Bracking, S. 2005. 'Development Denied: Autocratic Militarism in Post-election Zimbabwe', Review of African Political Economy 32(104/105), pp. 341-357.



and electoral violence between 2000 and 2013 aggravated conflict,⁶³³ reflected a one-party mentality,⁶³⁴ and rendered elections fraudulent.⁶³⁵

As widely discussed by liberal democratic literature, electoral disputes between 2000 and 2008 centred around issues of widespread political violence, subversion and partisan control of electoral institutions, and the media⁶³⁶, militarisation of politics in general, electoral and judicial institutions, and the absence of peace, individual security and stability impeaching on human dignity, freedoms of choice, expression and association.⁶³⁷

The March and June 2008 elections were the most significant elections since Zimbabwe's independence in 1980 as they offered the country a possible democratic peaceful exit out of the Zimbabwe crisis.⁶³⁸ Their resultant outcomes in intractable and inextricable democratization conflict and widespread post-election violence and political deadlock,⁶³⁹ led to the SADC mediation. The June run-off election was characterised by an intense reign of terror in both rural and urban areas, and total breakdown of democratic process as ZANU PF resorted to coercive strategies,⁶⁴⁰ violating both regional and continental democratic norms.⁶⁴¹ As a result, for the first time in the history of elections in Zimbabwe, both the AU and SADC rejected the outcome of the June run-off election, although they backed the March elections as peaceful and credible.

https://www.researchgate.net/profile/Sarah_Bracking/publication/228626833_Development_denied_a_utocratic_militarism_in_post-election_Zimbabwe/links/0c9605279f66a41126000000.pdf (accessed 17 October 2016).

⁶³³ Kriger, N. 2003. 'War Veterans: Continuities between the Past and the Present', *African Studies Quarterly* 7(2/3), pp. 139-152. <http://asq.africa.ufl.edu/files/Kriger-Vol-7-Issues-23.pdf>, Viewed 17 October 2020.

⁶³⁴ Ndlovu-Gatsheni, S. J. 2012. *Elections in Zimbabwe: A Recipe for Tension or a Remedy for Reconciliation?* Cape Town: Institute for Justice and Reconciliation. <http://www.ijr.org.za/publications/pdfs/IJR%20Zimbabwe%20Elections%20OP%20WEB.pdf>, Viewed 17 October 2020.

⁶³⁵ Sachikonye, L. 2011. *When a State Turns on its Citizens: 60 Years of Institutionalised Violence in Zimbabwe*. Harare: Weaver Press.

⁶³⁶ Schedler, A. 2002. 'The menu of manipulation', *Journal of democracy* 13(2), pp. 36-50.

⁶³⁷ Collier, P. and Vicente, P.C. 2012. 'Violence, bribery, and fraud: the political economy of elections in Sub-Saharan Africa', *Public Choice* 153(1-2), pp. 117-147.

⁶³⁸ Masunungure, E.V. 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, in Masunungure (ed), 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, Harare, Weaver Press.

⁶³⁹ Raftopoulos, B. 2000. *The Labour Movement and the Emergence of Opposition Politics in Zimbabwe, Labour, Capital and Society / Travail, capital et société* Vol. 33, No. 2, Special Issue/Numero Thematique: Zimbabwe—Independence and Beyond / Zimbabwe—au-delà de l'indépendance, pp. 256-286.

⁶⁴⁰ Krieger, N. 2005. ZANU (PF) strategies in general elections, 1980–2000: Discourse and coercion, *African Affairs*, Volume 104, Issue 414, pp. 1–34.

⁶⁴¹ EISA, 2015., *SADC Principles and Guidelines Governing Democratic Elections*, <https://www.eisa.org.za/pdf/sadc2015principles.pdf>, Viewed 20 February 2020.

The socio-economic and political context of the 2008 elections is well documented by many scholars and human rights institutions as dire.⁶⁴² Former Reserve Bank of Zimbabwe Governor, Gideon Gono, wrote that the economy was in a perilous state.⁶⁴³ Other academics pointed to the repressed media environment,⁶⁴⁴ broader context of the harmonized elections,⁶⁴⁵ the militarisation of the elections,⁶⁴⁶ the question of the legality of the elections, the manipulation of the constitution,⁶⁴⁷ and the questionable role of ZEC,⁶⁴⁸ as major conflict contours.⁶⁴⁹ There are several reports on election violence in 2008 detailing the reasons, patterns and tactics used during the campaign, with the most detailed being probably the Solidarity Peace Trust report.⁶⁵⁰

3.7 Mugabe and Tsvangirai, The Spectre of Violent Political Rivalry

Mugabe and Tsvangirai represented the partisan conflictual divide at the heart of the Zimbabwe intrastate democratization conflict. There is a huge corpus of biographical literature which looks at Mugabe's rule in Zimbabwe and Tsvangirai as his opponent. For their party, Mugabe and Tsvangirai were mutually suspicious, resentful and despised each other politically and personally, deepening violent partisan animosity between their supporters. While Mugabe was contemptuous of Tsvangirai, commonly suggested that he was a bogeyman of the West, harbouring foreign intentions to remove him from power, including by illegal means, to undermine and defeat the liberation struggle, Tsvangirai viewed Mugabe as a dictator, who had persistently stolen power after losing elections since 2000.

⁶⁴² Tarisayi, E. 2009. Voting in Despair: The Economic and Social Context, in E.V. Masunungure, (Eds) 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid

⁶⁴³ Gono, G. 2008. *Zimbabwe's Casino Economy: Extra-ordinary Measures for Extra-Ordinary Challenges*, Harare, ZPH.

⁶⁴⁴ Moyse, A. 2009. The Media Environment Leading up to Zimbabwe's 2008 Elections, in E.V. Masunungure (Ed), 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁴⁵ Masunungure, E.V. 2009. The 29 March Harmonized Elections, E.V. Masunungure(ed) 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁴⁶ Masunungure, E.V. 2009. A Militarized Election: The 27 June Presidential Run Off, E.V.(Ed) 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁴⁷ Greg, L.2009. Illegality and Zimbabwe's 2008 Presidential Elections, E.V. Masunungure (Ed). 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁴⁸ Makumbe, J.2009. Theft by Numbers: ZEC's Role in the 2008 Elections, E.V. Masunungure (Ed). 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁴⁹ Masunungure, E.V. 2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, in E.V. Masunungure (Ed).2009. *Defying the Winds of Change: Zimbabwe's 2008 Elections*, ibid.

⁶⁵⁰ Solidarity Peace Trust, 2008. *Punishing Dissent, Silencing Citizens: The Zimbabwe Elections 2008*, Johannesburg, Solidarity Peace Trust, solidaritypeacetrust.org/, viewed 22 March 2018.



Given that Mugabe ruled Zimbabwe as a strongman for an effective 37 years, it is not surprising that his rule is associated with everything that went wrong in Zimbabwe. While much of the liberal democratic literature represented Tsvangirai as a democrat, Mugabe was represented as a dictator, his rule a mixed legacy ranging from the repression of civil liberties and human freedoms, racial and ethnic chauvinism, violation of the rule of law, human and property rights, fraudulent elections and authoritarianism marked by antipathy towards norms of liberal democratic governance, a coercive and repressive civic culture centred on the partisan and monolithic political-ideological expression on one end and progressive pan Africanism on another,⁶⁵¹ hence his removal supposed ushered democratic transition in Zimbabwe.

Mugabe was conversely celebrated by many Zimbabweans and Africans as an anti-colonial icon, loved for challenging the West and giving voice to the genuine interests and aspirations of Africans in international multilateral platforms, advocating for social justice, national sovereignty, respect for Africans and unnegotiable recognition for their self-determination.

Beyond this binary, Mugabe represents critical contradictions beyond mere personal blame of an individual in understanding the democratization conflict in Zimbabwe and the means out of it. There are many deeply contradictory empirical and theoretical, practical domestic and international, policy, philosophical and epistemic dimensions of Mugabe's 37 years rule in Zimbabwe,⁶⁵² which should be deciphered within their historical context in understanding the development of the Zimbabwe conflict, and prospective solutions to it.

Mugabe's role and the fate of Zimbabwe is a constellation of political controversies, behaviours, political ideas, utterances, rhetoric and actions that have crystallised around Mugabe's political life and views.⁶⁵³ To be fair, both the persona and political lives of Mugabe and Tsvangirai were moulded and enmeshed within the political contradictions and conflict faced in Zimbabwe. They both represented the challenges and possible solutions out of such crisis. Mugabe legitimately courageously challenged Western views and policies of democracy as they applied to Zimbabwe, and exposed their duplicity,⁶⁵⁴ posturing as the main pan-African President and international activist, who dared the mighty Western powers, flirting with the

⁶⁵¹ Gatsheni-Ndlovu, 2015. Mugabeism and Entanglements of History, and Power, in the Making of Zimbabwe, in Gatsheni-Ndlovu, S.J. (ed) 2015. Mugabeism? History, Politics and Power in Zimbabwe, Palgrave Macmillan, New York.

⁶⁵² Ndlonu-Gatsheni. S.J.2009. Making Sense of Mugabeism in Local and Global Politics: 'So Blair, keep your England and Let me keep my Zimbabwe', *ibid*.

⁶⁵³ Ndlonu-Gatsheni. S.J.2009. Making Sense of Mugabeism in Local and Global Politics: 'So Blair, Keep Your England and Let me Keep my Zimbabwe', *ibid*.

⁶⁵⁴ Meredith, M. 2007. Mugabe: Power, Plunder and the Struggle for Zimbabwe, London, Public Affairs



leftist rhetoric and using the language of nationalisation of land and property to redress colonial injustices.⁶⁵⁵

Many Afro-centric scholars advancing a Pan-African redemptive ideology opposed to all forms of imperialism and colonialism and dedicated to a radical redistributive project predicated on redress of colonial injustices identified with Mugabe's FTLR as an emancipatory liberating moment if not utopia.⁶⁵⁶ Mugabe embodied a decolonial agenda bearing an epistemological extension of coloniality and neo-colonial struggles advanced by anti-colonial luminaries such as Amílcar Cabral, Frantz Fanon, Walter Rodney, Che Guevara, Fidel Castro, and Samora Machel.⁶⁵⁷ Mugabe was an unapologetic critique of Western political duplicity in defending people centred pro-African policies as his FLTR uniquely stands as the most relentless contemporary policy challenge to the neo-liberal policy orthodoxy, in spite of its internal and practical contradictions.⁶⁵⁸ In spite of suspicions of Tsvangirai's association with the West, many Zimbabweans supported and voted for the MDCT.

Mugabe's claims to state sovereignty, and statist self-determination buttressed on Pan-African nationalist rhetoric firmly seeded in robust patriotic nationalist, if not nativist history invokes a sense of pride and patriotism amongst pro-Mugabe Africans.⁶⁵⁹ These claims gained pre-eminence as a counter-narrative if not ideology to what was seen as an adversarial Western regime change agenda, discourse and policies against Zimbabwe and other Southern nations which sought to assert their self-determination from the West.⁶⁶⁰ The Zimbabwe conflict, therefore, became the basis upon which Mugabe, the anti-imperialist vocally immersed themselves in the global political stage, redefining global relations by championing South-South global solidarity forging closer ties with China, a former ally during the liberation struggle and an emerging economic powerhouse,⁶⁶¹ and within Africa, rallying African citizens and their leaders into the uncomfortable position to publicly side or sympathise with his rule and rhetoric,

⁶⁵⁵ Mugabe, R.G.2000. *Land is the Economy and Economy is the Land*, Harare, Jongwe Printers.

⁶⁵⁶ Moyo, S and Yeros, P. 2007. *The Radicalised State: Zimbabwe's Interrupted Revolution*, Review of African Political Economy, Vol 34, Issue 111: Debates on the Left in Southern Africa.

⁶⁵⁷ Mararike, M. 2018. Theoretical Locations of Mugabeism, Land "Terrorism" and Third Chimurenga Neo-Coloniality Discourse in Zimbabwe: A Rejoinder of a Revolutionary, *Journal of Black Studies*, Vol 29, Issue 3, pp. 191-211, <https://journals.sagepub.com/doi/abs/>.

⁶⁵⁸ Moyo, S. and Yeros, P.2007. *The Radicalised State: Zimbabwe's Interrupted Revolution*, Review of African Political Economy, Volume 34, Issue 111, Debates on the Left in Southern Africa, pp. 103-121.

⁶⁵⁹ Ranger, T. 2004. Nationalist Historiography, Patriotic History and the History of the Nation: The Struggle Over the Past in Zimbabwe, *Journal of Southern African Studies*, Vol.30, Issue 2, pp.215-234

⁶⁶⁰ Chigora, P and Ziso, E. 2011. Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium, *Turkish Journal of International Relations*, Vol.10, No.2-3, pp.127-143.

⁶⁶¹ Youde, J.2007. Why Look East? Zimbabwean Foreign Policy and China, *Africa Today*, Vol 53. No. 3, pp.3-19.



which was scathing to the West. While Tsvangirai and the MDC agenda resonated with the West and the liberal democratic global and domestic movement, many Africans detached from the contradictory realities of Zimbabwe and remained sceptical.

Mugabe's ideas as reflected in the ZANU PF view are captured in the 2000 party manifesto.⁶⁶² The democratic excesses associated with his rule are widely discussed in this chapter. Mugabe may be a political bogymen of Southern Africa or a populist phenomenon propelled through articulatory practices and empty signifiers. However, Mugabe became a legitimate (domestic and international political voice) accepted by many Africans without being willing to hazard becoming the activist voice or agent advocate against the West, that Robert Mugabe became. Admittedly, both Mugabe and Tsvangirai were central figures in the Zimbabwe conflict, including Welshman Ncube, the leader of the smaller MDC, and therefore critical players in finding a lasting solution to the Zimbabwe conflict. The violence of 2007 and the 2008 election deadlock were equally enmeshed in the enduring political rivalry between these leaders.

3.8 Conclusion

The Zimbabwe conflict shows that history matters and legacies haunt, particularly in the case of post-colonial states seeking democracy and political stability. It is evident that the Zimbabwe intrastate democratization conflict was rooted in complex overlapping contentious goal incompatibilities beyond elections and its nascent democratic experiment. The enduring dual legacies of colonial rule and liberation struggle mutated with the ZANU PF plunge into authoritarian rule feeding into coercive violence under hegemonic systemically exclusionary politics and violent political rivalry between ZANU PF and the MDC formations. The cumulative effect of the complex overlapping multifaceted crisis implicating structural historical issues and disputed elections in the face of deteriorating socio-economic prospects was a decade-long political deadlock which reached its height in 2007 and 2008.

⁶⁶² Mugabe, R.G. 2000. *Land is the Economy and the Economy is the Land*, Harare, Jongwe Printers.



CHAPTER 4: THE CONFLICT PARTIES, CHANGING CONFLICT DYNAMICS AND STRATEGIES

4.1 Introduction

While the violent election deadlock of 2007 and 2008 are the main events which triggered the SADC mediation, they emerged out of a contentious historical socio-political context which irreconcilably shaped the key conflict protagonists, defined the contours of conflict, their conflict behaviours, the issues and strategies which intensified and deepened interparty rivalry between the key conflict protagonists, ZANU PF, the MDCT and the MDC. This chapter traces the contours of politically polarizing conflict focussing on the self-identity of the conflict parties, the nature and characteristics, issues and strategies of the conflict, and the interplay between the conflict parties and the global West (USA, UK and their allies), detailing the changing conflict dynamics, and their implications for democratic transition in Zimbabwe. The conflict dynamics shaped the democratization conflict, as well as the process of the SADC mediation, which is discussed in detail in chapter 5. The extent of partisan polarized violence left the conflict parties so caught up in their differences that they were unable to find constructive ways forward out of the conflict, hence the SADC mediation, and of particular interest, the consociational regional diplomacy which the SADC mediation took.

4.2 The Contours of the Zimbabwe Conflict: Violent Political Polarisation Between ZANU PF, the MDCT and MDCM

The deep political polarization embedded on historical continuities, as well as the violation of democratic norms and civil liberties, was at the heart of escalated conflict in Zimbabwe.⁶⁶³ Zimbabwe seemed to be on the verge of political change since the formation of the MDC in 2000. The breakdown of the regime into two polarized, later three opposing parties, was a seismic violently contested political shift, entrenching into multiple historical and contemporary contradictions. The international dimensions of the conflict which sucked the Britain and USA, over historical commitments to resolve the land reform, and later, the whole Western international community, over issues of violation of democratic norms, sanctions and allegations of fostering illegal regime change compounded the domestic conflict. The subsequent seismic political shift divided Zimbabwe through the middle, primarily along

⁶⁶³ Gaidzanwa, R. 2020. The Political Culture of Zimbabwe: Continuities and Discontinuities. In: Ndlovu-Gatsheni, S.J., Ruhanya, P. (Eds) The History and Political Transition of Zimbabwe. African Histories and Modernities. Palgrave Macmillan, Cham. https://doi.org/10.1007/978-3-030-47733-2_2.

partisan lines, implicating historical race and ethnic cleavages, as well as irreconcilable ideological contradictions. Between 2000 and 2008, the Zimbabwe conflict assumed mutually reinforcing violently polarized ideational, historical- structural, party organizational characteristics and personal mutual rivalry as reflected in the conflict behaviours and strategies, culminating in violent political deadlock.

Liberal democratic scholars have extensively discussed illiberal ZANU PF policies, coercive organizational structures, practices expressed in its culture of authoritarian politics such as the militarization of party and government, and politicization of military and security institutions, as well as policies which violated property and human rights, civil liberties and democratic rights.⁶⁶⁴ The militarization of government and civic institutions was a political relic of the settler colonial regime, which was inherited and sharpened during the liberation struggle, and invoked in defence of ZANU PF rule against the threat of removal from power by the MDCT whether peacefully through elections, or violently, through envisaged mass action. By 2008, this structural problem went beyond the professionalism of the military and security institutions and actors, but had mutated into an ideological, material and politically entrenched culture in the security, military and police services which could not be easily disentangled without destabilizing the country, or risking outright military intervention which could have worsened the conflict.

Proponents of the transition paradigm, alternatively referred to as liberal democratic scholars exclusively reduce the Zimbabwe conflict to the violation of democratic norms and values such as elections, human rights, property rights and civil liberties.⁶⁶⁵ Deriving from the Schumpeterian view that democracy is multiparty competitive electoral competition between political parties for governmental office,⁶⁶⁶ they extensively raise the consequences of violently deadlocked electoral processes to buttress this view. The adoption of liberal democracy and multiparty system under the simultaneous authoritarian culture of colonial settler politics and coercive liberation struggle internal structure and culture of politics without addressing historical grievances gradually aggravated the depth of the conflict with elections as the major front of violent political rivalry. As shown in studies of elections in Zimbabwe, cyclic electoral contestation between 2000 and 2008 triggered escalated political instability, human rights

⁶⁶⁴ Masungure, E.V. (Ed.) 2009. Masunungure. Defying the Winds of Change: Zimbabwe's 2008 Elections, Harare, Weaver Press.

⁶⁶⁵ Mapuva, J. and Muyengwa-Mapuva, L. 2014. The Troubled Electoral Contestation in Zimbabwe. International Journal of Political Science and Development, 2(2), pp. 15-22.

⁶⁶⁶ Schumpeter, J. A. 2013. Capitalism, Socialism and Democracy. London, Routledge.



abuses and violation of democratic norms.⁶⁶⁷ To the extent that liberal democratic scholars suggest that the Zimbabwe conflict could have been resolved through an electoral contest only, this view was limited in shedding insight into the broader contours of violent rivalry, as well as the pathways to exit the conflict.

Zimbabwe's exclusionary first-past-the-post majoritarian political system, which met some of the minimalist democratic assumptions fuelled aggravated political rivalry between ZANU PF and the MDC, particularly during elections, steeped in multiple historical cleavages resulting in deeply entrenched political polarization. Instead of becoming means to legitimate power of government and the state, election contests turned into zero-sum hegemonic political rivalry. While the political system had worked well between 1980 and 1995, based on a multiparty system with marginal opposition, the emergence of the MDC formations changed the political dynamic raising the political stakes and cyclic political rivalry and claims of illegitimacy of the incumbent until 2008. Contrary to suggestions by the literature on democratization and violence that heightened political mobilization could lead to political moderation and compromise, since 2000, extreme coercive partisan polarization in Zimbabwe worsened into rising conflictual violence and political deadlock.⁶⁶⁸

Political polarisation was not just a crafted strategy used by the conflict protagonists,⁶⁶⁹ it assumed dangerous instrumental strategic utility because it mutated with historical and contemporary ethnically and racially structured historical and contemporary grievances which divided the conflict parties, feeding into confrontational conflict behaviours between the divided voting social base. Partisan polarization ran deep into Zimbabwean society since 2000, dividing the constellation of movements aligned between the MDC formations and ZANU PF.⁶⁷⁰ While liberal democratic civil society, NGOs, trade unions, the students' unions and some liberal oriented churches supported the MDC, organised veterans of the liberation struggle, traditional leaders in rural areas, NGOs formed by ZANU PF, state and security institutions backed ZANU PF.⁶⁷¹ The land movement which escalated land invasions from 2000s the in

⁶⁶⁷ LeBas, A., and Munemo, N. 2019. Elite Conflict, Compromise, and Enduring Authoritarianism: Polarization in Zimbabwe, 1980–2008. *The Annals of the American Academy of Political and Social Science*, 681(1), pp. 209–226.

⁶⁶⁸ LeBas, Ad. 2006. "Polarization as Craft: Party Formation and State Violence in Zimbabwe." *Comparative Politics* 34(8), pp. 419–438.

⁶⁶⁹ LeBas, Ad. 2006. "Polarization as Craft: Party Formation and State Violence in Zimbabwe." *Comparative Politics* 34(8), pp. 419–438.

⁶⁷⁰ McCandless, E. 2011. *Polarization and Transformation in Zimbabwe: Social Movements, Strategy Dilemmas and Change*, New York, Lexington books.

⁶⁷¹ McCandless, E. 2011. *Polarization and Transformation in Zimbabwe: Social Movements, Strategy Dilemmas and Change*, New York, Lexington books.



response to historical colonial socio-economic injustice, committing some of the most gruesome rights violations and violent electioneering traced its roots into ZANU PF.⁶⁷² Although the constitutional movement emerged independently outside the main conflict parties, since 2000, it was captured and subordinated into partisan agendas since 1999. Since 2000, the land redistribution, critique to malign foreign influences and issues of human rights and liberal democracy rendered a conflict front which took partisan polarization to another level, as both the MDC formations and ZANU PF subordinated and politicized these issues, as they lurched towards violent political deadlock.⁶⁷³

Since 2000, Zimbabweans increasingly viewed political and economic developments through the heavily tinted lens of party affiliation, and the rivalry political figures, Mugabe, Tsvangirai and Welshman Ncube. The key power brokers within ZANU PF and the MDC formations increasingly coalesced around radicalized political elites who were inclined towards the use of coercive force to achieve political goals, which worsened the Zimbabwe political conflict, eroding prospects of democratic convergence and political compromise.

After a relative lull in violent confrontation in 2006, as both ZANU PF and the MDC formations were consumed with internal leadership crisis,⁶⁷⁴ the divided political elites became more disposed to violently polarized political mobilization steeped in partisan, ethnic and racist contradictions over the land question and Western interests on one end, and broader civil liberties and constitutionalism on the other as a strategy for generating political will and action. Such shifts emboldened diametrical coercive hard-line radically and mutually opposing political confrontation between 2000 and 2008.⁶⁷⁵ Contentious political polarization reconfigured inter-party, and intra-party-political rivalry around personalist, ideological and historical issues rigidly bounded by exclusionary violence.

Much of the business community, churches, civil society and individuals were forced to explicitly identify with political party affiliation or fit in the imposed party affiliations, in the lingo

⁶⁷² Hellum, A. and Derman, B. 2004. Land Reform and Human Rights in Contemporary Zimbabwe: Balancing Individual and Social Justice through an Integrated Human Rights Framework. *World Development*, 32(10), pp. 1785-1805.

⁶⁷³ Maroleng, C. 2014. Zimbabwe's Movement for Democratic Change: Briefing Notes, Institute of Security Studies, The Situation Report, <https://www.files.ethz.ch/isn/102053>, Viewed 25 February 2022

⁶⁷⁴ Mpondi, D. 2015. The Institutionalization of One-Man Rule and the Politics of Succession and Patronage in Zimbabwe. *International relations and diplomacy*, 3(8), pp. 511-519.

⁶⁷⁵ LeBas, Ad. 2006. "Polarization as Craft: Party Formation and State Violence in Zimbabwe." *Comparative Politics* 34(8), pp. 419–438.



of ZANU PF, to express their "loyalty to the nation."⁶⁷⁶ Civil society formations, individual human rights and political activists aligned with the MDC were subjected to coercive restrictive legislation, repeated police searches, surveillance, arbitrary arrests, intimidation and physical violence.⁶⁷⁷ As reflected in many human rights reports between 2007 and 2008, many activists were attacked or murdered in cases of state perpetrated political violence, particularly, those living and working in rural areas such as teachers, nurses, ethnic and racial minorities, civic and MDCT party functionaries.⁶⁷⁸

Partisan polarization also permeated intraparty relations within the opposition MDC formations, undermining its organizational and strategic influence in advancing democratic transition. In 2005 to 2006 the MDC split into the MDCT and MDC, under extremely violent internal political rivalry.⁶⁷⁹ Differences on whether to contest the 2005 Senate elections resulted in the eruption of intraparty violence over long-standing ideological, organisational, structural factors, issues of accountability and strategy within the MDC formations, which affected the long term struggle for democratization by weakening the opposition.⁶⁸⁰ Both formations split again as Ncube and Mutambara fought over the control of the MDC, while Tendai Biti and Elton Mangoma, the chief negotiators for the MDCT during the SADC mediation, left the party over issues of intra-party violence and differences in strategy.⁶⁸¹

While organized actors and factions within the MDCT instrumentalized political violence against ZANU PF, polarized violence was unleashed against dissenting factional actors within the opposition party, leading to several splits and fragmentation. Such violent intraparty polarization undermined the effective role of the MDC as a democratic party, and its ability to influence peaceful change in Zimbabwe.⁶⁸² It worsened intraparty and interparty mistrust amongst the key conflict protagonists undermining any prospects of cooperative relations

⁶⁷⁶ LeBas, Ad. 2006. "Polarization as Craft: Party Formation and State Violence in Zimbabwe." *Comparative Politics* 34(8), pp. 419–438.

⁶⁷⁷ Human Rights Watch, 2008. "Bullets for Each of You" State-Sponsored Violence since Zimbabwe's March 29 Elections, <https://www.hrw.org/>, Viewed 20 January 2022.

⁶⁷⁸ Howard-Hassmann, 2010. Mugabe's Zimbabwe, 2000–2009: Massive Human Rights Violations and the Failure to Protect, *Human Rights Quarterly*, Vol. 32, No. 4, pp. 898-920.

⁶⁷⁹ Moyo, C.2020. Party Foot Soldiers, Quasi-Militias, Vigilantes, and the Spectre of Violence in Zimbabwe's Opposition Politics, *Modern Africa, Politics, History and Society*, Vol. 8, Issue 1, pp. 65-103.

⁶⁸⁰ Raftopoulos, B. 2006. Reflections on Democratic Politics in Zimbabwe, in B. Raftopoulos and A. Karin (Ed.). *Reflections on Democratic Politics in Zimbabwe.*, Cape Town, Institute for Justice and Reconciliation.

⁶⁸¹ Hlahla, K. 2020. Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015. Doctoral Thesis, University of Johannesburg (South Africa).

⁶⁸² Hlahla, K. 2020. Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015. Doctoral Thesis, University of Johannesburg (South Africa).



towards a negotiated agreement between 2000 and 2006 under South Africa's quiet diplomacy.⁶⁸³ Intraparty violence conflated with ethnic rivalry and resentment under any prospects of cooperation or unity between the MDCT and the MDC, relatively weakening the opposition, and its leverage in future negotiations with ZANU PF.⁶⁸⁴ ZANU PF managed its internal contradictions with minimal overt internal polarization, while directing partisan polarization through systematic organized violence against the opposition MDC formations. The literature on regime breakdown suggests that the manner of regime breakdown affects the trajectory and prospects of democratic transition.⁶⁸⁵ In the case of Zimbabwe, the tide of Western ostracization against ZANU PF, and, conflated historical and contemporary issues created partisan political polarities between ZANU PF and the MDC formations by diametrically pushing together ZANU PF on one end, and the pro- liberal democratic civic formations on the other. While ZANU faced its own internal contradictions, in contrast to the MDC formations, the breakdown of the regime since 2000 was characterized by internal elite cohesion and unity around Mugabe as the face of coercive unified partisan mobilization under the well-coordinated elite leadership of the party-state and government, with the MDC formations and their civic allies as the main target of orchestrate political violence.⁶⁸⁶

When faced with the potent political threat of the MDC, the liberation war veteran top leadership within ZANU PF, the government and the state solidly united under the leadership of Mugabe, defying manoeuvres for his succession given his old age and longevity in power, to deflate the surging political and electoral pressure from the formations. ZANU PF viewed the emergence of the MDC formations and their role as an existential threat, eliciting extensive mobilization from within and outside the state.

While the literature on democratic transition in Zimbabwe has extensively discussed the use of violence as the main factor accounting for the survival of ZANU PF in power, Mugabe and ZANU PF also combined hegemonic coercion with the effective use of voluntary persuasion informed by the appeal of the liberation nationalist ideology, the FTLR, and partisan appeal to Western threats of regime change, hence the ruling party continued to retain much of the rural

⁶⁸³ Lodge, T. 2005. Quiet diplomacy in Zimbabwe: a case study of South Africa in Africa. Johannesburg, Wits Institute for Social and Economic Research.

⁶⁸⁴ Moyo, C.2020. Party Foot Soldiers, Quasi-Militias, Vigilantes, and the Spectre of Violence in Zimbabwe 's Opposition Politics, *Modern Africa, Politics, History and Society*, Vol. 8, Issue 1, pp. 65-103.

⁶⁸⁵ Geddes, B., Wright, J., and Frantz, E. (2014). Autocratic breakdown and regime transitions: A new data set. *Perspectives on politics*, 12(2), pp. 313-331.

⁶⁸⁶ LeBas, A. 2006. Polarization as Craft: Party Formation and State Violence in Zimbabwe. *Comparative Politics*, pp. 419-438.



voting base between 2000 and 2013. As divisive as Mugabe and ZANU PF became, the ruling party remained largely popular with a strong, albeit rigidly loyal, tendentiously exclusionary partisan rural support base. ZANU PF combined the resonant FTLR, intimidation and coercive mobilization to make rural areas impenetrable to the opposition, insulating their main power base.

The reciprocal radicalization of the MDC formations in pushing for political and electoral reforms by resorting to more aggressive tactics deepened confrontational violence between the conflict protagonists. The MDC formations resorted to more organized, premeditated and violent protests as the party adopted the DRC, a code for organized violent protests to force Mugabe to the negotiating table, marking a lurch into escalated violence with dim prospects of dialogue.

Elections generally bode well for democracy, as they enhance both democratic change and consolidation. Zimbabwe experienced vigorous electoral contestation since 2000, which boded well for democratic prospects, however, heightened electoral rivalry failed to subvert authoritarianism, while intensifying violent political polarization. Zimbabwe held regular elections based on its constitution, however, as a competitive authoritarian regime, the incumbent regime proved not prone to losing power, a characteristic feature of competitive authoritarian regimes.⁶⁸⁷ While elections bode well for democratic prospects, particularly once the incumbents are overthrown, ZANU PF managed to exclusively control state power, even during the height of political rivalry in 2007, and 2008, leaving only inter-party negotiations as the only pathway towards democratic transition.

To the extent that ZANU PF was strongly entrenched and deeply imbedded into government and the state, any prospects of democratic transition seemed inclined towards incumbent-guided regime transformations,⁶⁸⁸ or some form of transition in which ZANU PF played an important role together with the MDC formations. In both 2007 and 2008, ZANU PF totally unilaterally controlled both the state and government. Although by 2008, Zimbabwe faced unprecedented constitutional crisis, the key structures of government and the state remained loyal to ZANU PF, defending its hold on power.

⁶⁸⁷ Brownlee, J. 2009. Portents of Pluralism: How Hybrid Regimes Affect Democratic Transitions, Volume 53, Issue 3, pp. 515-532.

⁶⁸⁸ Djuve, V. L., Knutsen, C. H., and Wig, T. 2020. Patterns of Regime Breakdown Since the French Revolution. *Comparative Political Studies*, 53(6), pp. 923–958.



Furthermore, democratic elections require democratic parties, or some commitment to democratic rule at both the level of the political parties and their leaders, as well as government and the state. While the MDC were liberal democratic parties committed to democratic rule, ZANU PF morphed into a populist liberation party-state wielding exclusionary increasingly concentrated and consolidated state and government power. During the 2000, 2002, and 2008 elections ZANU PF totally recoiled into its ideological shell conducting elections entirely dependent on violent coercion, intimidation against its opponents and the fast-track land redistribution. For the first time, in 2008 ZANU PF overtly deployed the military and security institutions and actors in its political campaigns, although they had been covertly used since 2000.⁶⁸⁹ After losing the first round of elections to the MDCT, ZANU PF aggressively set-off a violent campaign against opposition voters for betraying the liberation struggle and the land reform by voting the MDCT, viewed as a political appendage of the West.⁶⁹⁰ Thus, the land question, the role of the West in Zimbabwe, and violence became the defining contours of escalated conflict during every election cycle since 2000.

While since 2000, ZANU PF recoiled into its nativist nationalist ideology, most scholars overlook its commitment and determination, including to defend its hold on power, in spite of electoral outcomes. To draw from an article in Zimbabwe's government-owned Herald Newspaper, the nationalist liberation ideology was rooted in, recognized and appreciated the values of the liberation struggle that gave way to the country's independence as guided and informed by the genuine patriotic and nationalistic principles that shepherded Zimbabwe's liberation struggle.⁶⁹¹ The violence which erupted in the run-up to the 2008 election run-off was articulated as a defence of Zimbabwean independence, its national sovereignty epitomised by the fast-track land reform.

The modus operandi of ZANU PF reflected a party run on iron-clad rules and procedures which were highly hierarchical, a form of centralised democracy which mutated into personalist rule⁶⁹². Furthermore, ZANU PF was anchored on its wartime command character, with a deep backbone of support straddling its loyal rural base, and, military political elite rank and file simultaneously imbedded in public service and government, serving overlapping public policy,

⁶⁸⁹ Masunungure, E. V. 2011. Zimbabwe's militarized, electoral authoritarianism. *Journal of International Affairs*, Vol.65, No. 1, pp. 47-64.

⁶⁹⁰ Masunungure, E. V. 2008. A Militarized Election: The 27 June Presidential Run-off, in E.V. Masunungure (Ed.) *Defying the Winds of Change*, Harare, Weaver Press, pp. 79-97.

⁶⁹¹ The Herald, Zimbabwe, @Jamwanda on Saturday: Fluttering the Triple C Dovecote, 19 November 2022, <https://www.herald.co.zw/>, Viewed 20 November 2022.

⁶⁹² The Herald, Zimbabwe, @Jamwanda on Saturday: Fluttering the Triple C Dovecote, 19 November 2022, <https://www.herald.co.zw/>, Viewed 20 November 2022.

partisan-political roles, and security-military functions.⁶⁹³ ZANU PF invoked the historical nationalist and liberation role, branding itself as the sole vanguard of Zimbabwe's liberation struggle and heroic independence achieved in 1980, deploying its public scholars to engage in the potent patriotic history public discourse which influenced public opinion in Zimbabwe and abroad, isolating the MDC formations from Africanists as a creature of Western creation and an illegitimate political proxy.⁶⁹⁴ At home, this portrayed the MDC formations as enemy number one, and target the of coercive menu of organized political violence, while legitimizing ZANU PF mobilization of the state and its party structures in defence he national liberation.

ZANU PF firmly emphasized the irreversibility of Zimbabwe's historic land reform and the pursuit of economic indigenisation as its historical patriotic responsibility. No party in Zimbabwe has exhibited the same ideological conviction to its core values, mission, vision as defined in the call for land reform, defying both Western, regional and domestic pressure.

Secondly, by invoking the liberation struggle and reshaping its partisan narratives, ZANU PF reinforced partisan identities between the historical patriotic party of independence, assuming exclusive responsibility to defend the legacy of freedom and independence for which many Zimbabweans had sacrificed their lives⁶⁹⁵, against the new urban formations which were portrayed as traitors, in spite of being legitimate opposition represented in Parliament since 2000.

The divide between patriotism and traitor has severe historical resonance within the context of the liberation struggle in which enemies paid with their lives. The partisan politicization and weaponization of such terms such as enemy of the people, sell-out (mutengesesi), or being associated with the enemy camp took scary meanings which struck fear in society.⁶⁹⁶ Terms such as ma ZANU (ZANU PF supporters) and ma MDC (MDC supporters) evoked targeted personal and group partisan identities reminiscent with the polarized politics and organized violence from the top of the divided political parties to local communities,⁶⁹⁷ which took partisan, racist and ethnic dimensions. As a movement, by nature and character of its composition,

⁶⁹³ Tendi, B.M. 2013. Ideology, Civilian Authority and the Zimbabwean Military, *Journal of Southern African Studies*, Vol. 39, Issue 4., Politics, Patronage and Violence in Zimbabwe, pp. 829-843

⁶⁹⁴ Ranger, T. 2004. Nationalist Historiography, Patriotic History and the History of the Nation: The Struggle over the Past in Zimbabwe. *Journal of southern African studies*, 30(2), pp. 215-234.

⁶⁹⁵ Ranger, T. 2004. Nationalist Historiography, Patriotic History and the History of the Nation: The Struggle over the Past in Zimbabwe. *Journal of southern African studies*, 30(2), pp. 215-234.

⁶⁹⁶ Mudavanhu, S.L.2014. The Politics of 'Patriots' and 'Traitors' on Radio Zimbabwe, *Journal of African Media Studies*, Volume 6, Issue 3, Sep 2014, pp. 327 – 343.

⁶⁹⁷ Mudavanhu, S.L.2014. The Politics of 'Patriots' and 'Traitors' on Radio Zimbabwe, *Journal of African Media Studies*, Volume 6, Issue 3, Sep 2014, pp. 327 – 343.



ZANU PF viewed the MDC formations as ideologically suspect, hence the argument that the opposition formations sought to reverse the legitimate gains of the liberation struggle, including the land reform.

The notion of Western threats to ZANU PF galvanized vigilant intra-party convergence and mobilization directed against the MDCT and its leaders more than often stated. From the perspective of MDC cooperation with the Western international community, the victory of the MDC formations in any election presented an existentially threat to ZANU PF, literally and politically. The real threat of violent removal from power haunted ZANU PF in the face of obtaining relentless socio-economic pressure, particularly on the back of prevalent Western regime change posture against ZANU PF and declining economic prospects which raised the spectre socio-economically instigated uprising.

The constant condemnation of ZANU PF by both the MDC formations and the Western international community over historical and recent violations of property and human rights raised genuine fear of unpredictable domestic and international accountability through prosecution and possible persecution amongst ZANU PF rank and file, including culpable military and security elites. This view allowed ZANU PF to increasingly rally and directly infuse the highly politicized war veterans, party militias, security and military elites into partisan intra- and interparty political campaigns, strategic political functions in government as well as electoral institutions.⁶⁹⁸ The military -security institutions became an integral and equal partner in defence of the hard won independence, national interest, sovereignty and territorial integrity, as a pivotal vanguard of the state and the countervailing force against the Euro-North American epistemic subversion and conflated political and national security threats.⁶⁹⁹ Through the violence of 2008, military-security institutions sealed their transmutation as an omnipresent and omnipotent power broker and fulcrum of the shifting ZANU PF political system.⁷⁰⁰ The intersection of politics, patronage, loyalty and partisan violence defined systemic political and military elite alliance in ZANU PF and the Zimbabwean government as both stakeholders and

⁶⁹⁸ Tendi, B. 2013. Robert Mugabe's 2013 Presidential Election Campaign, *Journal of Southern African Studies*, Patronage and Violence in Zimbabwe, Volume 39, Issue 4, pp. 963-970.

Tendi, B. 2016. State Intelligence and the Politics of Zimbabwe's Presidential Succession, *African Affairs*, African Affairs, Volume 115, Issue 459, pp. 203-224.

⁶⁹⁹ Moyo, G.2014. Understanding the Executive-military Relations in Zimbabwe: Beyond Mugabe's Redistributive Nationalist Rhetoric, *Journal of African Union Studies* Vol. 3, No. 2_3.

⁷⁰⁰ Ruhanya, P. and Gumbo. B.2021. The Securocratic State: Conceptualising the Transition Problem in Zimbabwe.



stake holders,⁷⁰¹ while the scale of human rights violations raised security concerns which could only be secured by holding onto state power.

ZANU PF unilaterally controlled the coercive authoritarian personalist party-state government under Mugabe. The mutation of ZANU PF with the government and the state at the helm of Zimbabwe for over thirty years created imbedded habitual self-entitled authoritarian rule which could only be transformed or changed at high conflictual socio-economic, political and human cost. Authoritarian regimes of this nature and character generally hold elections without countenancing that they may lose power, and if they do, they do not easily allow for peaceful transfer of power. In spite of the growing stalemate in 2007, which was followed by ZANU PF losing the 2008 first round of elections to the MDCT, the Zimbabwe violent conflict escalated to alarming proportions as ZANU PF sought to retain power at all costs. Thus, elections themselves became part of the problem as every electoral contest since 2000 added to cycles of extensive impunity and bloodletting.

ZANU PF and the MDC formations represented contrasting radically opposed political formations, ideas and ideologies. For their supporters, they were a paradox between hope and change respectively represented by Tsvangirai and the MDCT, and the much-reviled status quo represented by Mugabe and ZANU PF. ZANU PF identified the MDC formations and civil society allies as enemies of the state, harbinger of illegitimate foreign Western aggression to remove the progressive ruling party from power through illegal regime change. At the formation of the MDC, ZANU PF a former liberation political formation, had been in power for an uninterrupted three decades under Mugabe. On the opposite side, the MDC led by Tsvangirai, a trade unionist commonly derided by ZANU PF as having run away from the liberation struggle, lacking the associated historical legitimacy to rule Zimbabwe, increasingly identified with the ordinary urban workers, making Tsvangirai an epitome of the challenges and aspirations of the middle class and Zimbabwe's young activist base. Between 2000 and 2008, the pattern of violent coercion which was initially extensively meted in rural and farming areas, shifted to be concentrated in urban and peri-urban areas, the strongholds of the MDC formations, creating an irreconcilable running divide between the ZANU PF rural support base which enjoyed relative security, against the MDC urban base, and its labour based, civil society and intellectuals' leadership which became targets of organized violence perpetrated by the state.

⁷⁰¹ Alexander, J. and McGregor, J. 2013. Introduction: Politics, Patronage and Violence in Zimbabwe, *Journal of Southern African Studies* Volume 39, Issue 4: Politics, Patronage and Violence in Zimbabwe, *Journal of Southern African Studies*, 39(4), pp. 749-763.



The internationalization of the Zimbabwe conflict, particularly the conflated Western posture on Zimbabwe became problematic. While political change could take place through external intervention leading to the removal of government, a revolution, negotiated transition or through elections. Western support for the MDC may have strengthened the opposition party, but it's also hardened the political posture of ZANU PF which rejected any form of dialogue with the MDC until they recognized elections outcomes, and dropped their challenge to Mugabe's legitimacy based on the 2000, 2002 and 2005 elections results.⁷⁰² The MDC formations rejected these elections outcomes, citing a combination of electoral irregularities and escalated violations of democratic norms, civil liberties and extensive political violence.

Although the MDC presented the most serious challenge to ZANU PF since 1980, with a huge domestic base and extensive international networks, however, its diffuse constituencies and Western interconnectedness continued to be problematic. Its ambiguous political-ideological posture, largely influenced by its amorphous constituencies played into ZANU PF criticism as an external agent of regime change, while weakening its internal cohesion. Western negativity and hatred turned Mugabe and ZANU PF into a national hero, an icon, revered not only in Zimbabwe but across Africa as 'the only one with the guts' to stand up to Western 'bullying'.⁷⁰³

In contrast to political formations which emerge from within the ruling regime, and because of familiarity between the political elite class which makes it relatively easier to strike possible political deals, the MDC formations emerged outside ZANU PF, without any links, either through some elites or factions formerly identifying with the ruling party moving to the opposition formations. That, there was no prior direct contact or reach between the key elites in ZANU PF and the MDC formations probably accounts for the collapse of the Mbeki initiated quiet-diplomacy as the hardliners in both parties rejected negotiations either through proxies or directly, while violent political rivalry and the violent FLTR escalated. The two opposing political blocks dug-in, turning the political system into two major polarized hostile groups violently competing for state power. The formation of the MDC by Western funded NGOs, civil society and the ZCTU at a time when labour organizations were as viewed as a threat to political establishments in some African countries created concerns in Zimbabwe and other African countries about the role of civic institutions, and fears that they may be used to advance

⁷⁰² The Guardian, Mugabe's party wins Zimbabwe election, 1 April 2005, <https://www.theguardian.com/world/2005/apr/01/zimbabwe.jamessturcke>, Viewed 1 November 2022.

⁷⁰³ Rukuni, C.2013. How the West Helped Mugabe Win the Elections, ZAM, <https://www.zammagazine.com/arts>, Viewed 20 May 2021.



foreign interests to remove liberation party governments from power. In Zimbabwe, the MDC formations reflected the realities of such threats and fears from the government.

While the major social base of the MDC formations was largely black African population living in urban areas, since the constitution referendum in 1999, the white population which had retreated into political apathy after independence, came out in large numbers to vote for the MDC, with some of them taking key political positions in the party. Much of the literature on democratic transition and the land reform in Zimbabwe present whites as the main targets of ZANU PF violence, however, there is limited focus on how the post-2000 political antipathy by the Zimbabwean white population unsettled ZANU PF and why ZANU PF targeted what would be a small political constituency beyond the disproportional racial dominance in land ownership.⁷⁰⁴ Although the population of the white people constituted a marginal voter base compared to the African population, they comparatively wielded much socio-economic and political power and influence, domestically and internationally as they controlled much of Zimbabwe's economic interests particularly in agriculture and mining, were imbedded in Western international business and political networks.

Arguably, following the emergence of the MDC formations, the domestic capital, dominated by the white population shifted their interests and immense political weight away from the ruling party in support of the opposition MDC. Considering their international links with the Western international community, the white population elicited robust Western sympathy, and exerted strong political leverage mediated through farming and business networks imbedded into transnational geo-political and business networks. In terms of their political participation in national politics through the MDC, they became the ideological, logistical and strategic lifeline of the opposition movement linking it with the Western international community. As often expressed by Mugabe, ZANU PF bitterly resented the support rendered to the MDC formations by the white population of Zimbabwe, viewing it as betrayal given the extent to which the government had protected their disproportionately extensive socio-economic interests at high political cost to the ruling party since 1980. In addition to the white population, since 2000, the Ndebele population from the South Western regions of Zimbabwe wholly voted for the MDC formations in 2000, reinforcing the racial and ethnic dimensions to Zimbabwean political rivalry.

⁷⁰⁴ Mlambo, O. B. and Gwekwerere, T. 2019. Names, Labels, the Zimbabwean Liberation War Veteran and the Third Chimurenga: The Language and Politics of Entitlement in Post-2000 Zimbabwe. *African Identities*, 17(2), pp. 130-146.



Since 2000, the MDC formations reduced their political campaign to Mugabe must Go. While mass protests, stayaways, strikes, organized marches by citizens would have other short-term goals, their ultimate goal became the removal of Mugabe from office further escalating violent polarized conflict. This fed into toxic mutual resentment, contempt and personal hatred between Mugabe and Tsvangirai, cascading down to their lieutenants and supporters, fuelling the deep violent adversarial political polarization which made a democratic solution inconceivable.

4.2.1 The ZANU PF Hegemonic Party State

Proponents of the democratic transition tend to view the ZANU PF state in liberal democratic terms, then what it is? While some scholars have correctly noted its authoritarian nature, they still suggest or imply some democratic posture or interest on the side of ZANU PF.

The ZANU PF party state was hegemonic, that is, it was pervasively embedded into government and the state to make any peaceful change of power, or electoral victory by the opposition inconceivable. Its core instruments were the historical political-military-security partisan alliance, its ambivalent but controlled liberal democratic posture, including multiparty system and illiberal constitutionalism, to assert its domestic and international legitimacy within a multiparty system, however faulty. Its exclusive appropriation of historical liberation consensus as the only political agent which could advance the aspirations of the black people potently resonated with many Africans and represent a legitimate cause that liberal democracy has failed to resolve, particularly in Southern Africa.

The convergence of personal and party interests and a sense of shared destiny bounded by rigid internal formal and informal rules rendered the party-state its internal stability against the MDC formations. Given its pervasive infusion into the state, ZANU PF party state dominated the military-security institutions, the Executive, judiciary, the media, the public discourse and the public goods, including totally controlling electoral institutions. Given the dominants of the ZANU PF party state, its relations with the rising MDC formation were destined to be violently confrontational.

While the ZANU PF party state held elections, they were warranted to the extent that they provide domestic and international legitimacy, not necessary on the assumptions of liberal democratic norms. Since 1980, ZANU PF has alternated between the use of coercion or consent, sometimes deploying both, depending on the level and intensity of opposition and the



threat there of. The rise of the MDC as a major threat to its hold on power, not only raised the costs of singular hegemonic political dominance but exposed the ZANU PF party-state's marginal democratic content whose main character was the holding of regular elections, without embracing or deepening democratic values, ethos and practices.⁷⁰⁵ The major political parties, ZANU PF and the MDC contested each other under a two-party system heavily skewed towards personalist militarised party-state, the dominance of the imperial executive presidency,⁷⁰⁶ and authoritarian party-state.⁷⁰⁷

From 2000, ZANU PF radicalised, dumping its neo-liberal policies to adopt indigenization and land reform policies, violent chaotic campaign based on resolving the historical structural political-economic legacy of racial colonial disempowerment and emasculation of black people.⁷⁰⁸ The land reform responded to the historical socio-economic injustice, however, as belatedly resolved under the FTLR, combined with the discovery of diamonds in 2008, doubly entrenched and legitimized ZANU PF material conditions to violently sustain its hegemony by providing land to black Zimbabweans⁷⁰⁹. While the insistence of the MDC formations on property rights failed model of land reform in the absence of clear cogent plans to resolve this injustice made party a target of violence and alienated it from the majority rural support base.

Western demonization over human rights violations and the introduction of sanctions since 2002, further unified ZANU PF against the MDC formations and the West, raising both polarizing fear and suspicion within the incumbent rank and file.⁷¹⁰ The MDC formations continue to be blamed by ZANU PF, but also other sections of neutrals for calling for sanctions, which thrust a deep wedge between the conflict protagonists.⁷¹¹ The ZANU PF party state effectively invoked the Presidential powers, as amended in 1990 to unilaterally exercise its power, including passing a chain of controversial executive regulations between 2000 and 2008, further entrenching its rule. From 2000, ZANU PF morphed into an authoritarian party-

⁷⁰⁵ Compagnon, D and Makumbe. J.2000. Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Elections, Harare, UZ Press.

⁷⁰⁶ Sachikonye, L.M. 2005. Political Parties and the Democratisation Process in Zimbabwe, EISA Research Report No.16, Johannesburg. EISA.

⁷⁰⁷ Murisa, T. 2015. Not Yet Uhuru: Zimbabwe's Halting Attempts at Democracy, in T. Murisa and T. Chikweche, 2015. Beyond the Crisis: Zimbabwe's Prospects for Transformation, Harare, Weaver Press

⁷⁰⁸ Mugabe, R.2001. Inside Third Chimurenga, Harare, Department of Information and Publicity, Office of the President and Cabinet.

⁷⁰⁹ Scoones, I., Marongwe, N., Mavedzenge, B., Mahenehene, J., Murimbarimba, F., and Sukume, C. 2010. Zimbabwe's land reform: myths and realities. Oxford: James Currey.

⁷¹⁰ Masaka, D. 2012. Paradoxes in the 'Sanctions Discourse' in Zimbabwe: A Critical Reflection. African Study Monographs, 33(1), pp. 49-71.

⁷¹¹ Masaka, D. 2012. Paradoxes in the 'Sanctions Discourse' in Zimbabwe: A Critical Reflection. African Study Monographs, 33(1), pp. 49-71.



state characterised by,” dualities in the coexistence within Zimbabwean politics of constitutionalism and legality versus a complex combination of paralegal, supra-legal, oppressive and brutal political action, especially as this pertains to elections and land reform.⁷¹² As posited by Mandaza, the intrusive and powerful ZANU PF political and security elite alliance, morphed into a securocratic state.⁷¹³ In fact, the military gradually dominated key institutions of the state and society, becoming the major power brokers, wielding overlapping political and economic power, exercised, expressed and executed through the party–state to protect their political and economic interests.

The institutional construction of the ZANU PF hegemonic party state was anchored on inherited authoritarian colonial institutions, which were not comprehensively reformed to reflect the dispensation of independent Zimbabwe. Although ZANU PF gradually imposed its culture, the structure of the security and military institutions was moulded under the colonial settler regime, and since 1980 increasingly remodelled by former colonial security service chiefs. Both militarization of civil society and politicization of the military and security institutions had been effectively used in efforts to neutralize the liberation struggle. Since the 2000s, ZANU PF effectively intensified the politicization of the military and security, and the militarization of government and civil society conflating their role in the state, with that of government and the ruling party. The ZANU PF hegemonic party state relied on coercive mobilisation and political crackdown using the army, Central Intelligence Organization and youths militia,⁷¹⁴ trained under the partisan national service,⁷¹⁵ arbitrary arrests, detention and abuse of opposition members and supporters, use of force by security forces, intimidation, arrests and abuse of lawyers and journalists, including passing legislation to muzzle the media.⁷¹⁶

The overt intervention of the military and security actors in the run-off campaign of 2008 elections had historical, political-cultural and ideological resonance in terms of internal political-military relations within the ZANU PF party state.⁷¹⁷ As the ruling politicians flopped in

⁷¹² Booyesen, S. 2003. The Dualities of Contemporary Zimbabwean Politics: Constitutionalism versus the Law of Power and Land, 1999-2002, *African Studies Quarterly*, African Studies Quarterly, https://asq.africa.ufl.edu/booyesen_fall03/, viewed 12 December 2019.

⁷¹³ Mandaza, I. 2014. Zanu PF congress — The Rise and Triumph of the Securocratic State, Opinion, *The Zimbabwe Independent*, <https://www.theindependent.co.zw/>, Viewed 20 November 2019.

⁷¹⁴ Mwonzora, G. and Helliker, K. 2020. Learning and performing political violence: ZANU-PF Youth and the 2008 presidential run-off election in Zimbabwe, *African Studies*, African Studies, Volume 79, Issue 3.

⁷¹⁵ Mhike, I. 2018. Political Violence in Zimbabwe's National Youth Service, 2001–2007, in V.Cinccheli, 2018. *Youths and Political Engagement in Africa*, Leiden, Brill.

⁷¹⁶ Kasambala, T. 2007. Bashing Decent: Escalating Violence and State Repression in Zimbabwe, *ibid*

⁷¹⁷ Mpofu, B., and Ndlovu-Gatsheni, S. J. 2015. Robert Mugabe: The Will to Power and Crisis of the Paradigm of War. In *Mugabeism?* (pp. 121-133). New York, Palgrave Macmillan.



defending ZANU PF power, the military, under the civilian face of Mugabe as Commander in Chief intervened to defend the ZANU PF regime.

Fundamentally, the Zimbabwe hegemonic party state effectively use the constitution as amended in 1990 to its advantage. ZANU PF amended the constitution to consolidate its hold on state power through concentrating the power of the state and government together with the ruling party under the Office and person of the President.⁷¹⁸ Mugabe became the Executive President with total control of the state, the government and the ruling party, was the Commander in Chief, and Chancellor of all universities in Zimbabwe, as part of broad sweeping Presidential powers reminiscent of one party system.⁷¹⁹ Although the 1987 constitutional amendments could be viewed as progressive in terms of recreating a constitutional order to address the contradictions of the bitter colonial rule,⁷²⁰ the Presidential powers were weaponised to unilaterally legislate controversial electoral laws and regulations since 2000 to the partisan advantage of ZANU PF,⁷²¹ hence they became the rallying point for constitutional reforms since 2000.

In addition to formal institutional power vested in the party, government and the state, Mugabe also wielded pervasive informal power as a former most senior liberation leader, now at the helm of the state, as well as unmatched charismatic influence which made him a national and global iconic pan-African leader. Given the rigidly hierarchical structure of the culture of the liberation struggle, Mugabe's position elicited total loyalty verging on obedience, hence his lieutenants in the military and security institutions loyally subordinated to the over-arching service of the party and its leader, thus violating democratic norms. But equally, the securocrats identified with ZANU PF, the Party of liberation, because it was also their ideological home, hence they were at the helm of the execution of the violent militarized run-off election of July 2008. Although the military and security institutions generally covertly over stretched into party politics, in 2008, their involvement became overt, as they openly declared their role in defending the legacy of the liberation and its aspirations in the FTLR program.

⁷¹⁸ Sachikonye, L. M. 2004. Zimbabwe: constitutionalism, the electoral system and challenges for governance and stability. *Journal of African Elections*, 3(1), pp. 140-159.

⁷¹⁹ Ncube, W. and Nzombe, S. 1987. The Constitutional Reconstruction of Zimbabwe: Much Ado About Nothing? *ZLRev*. Vol. 5., pp.2-25.

⁷²⁰ Hatchard, J., and Slinn, P. 1988. Towards an African Zimbabwean Constitution. *Third World Legal Studies*, 119, <https://heinonline.org/>, 20 August 2021

⁷²¹ Sachikonye, L. M. 2004. Zimbabwe: constitutionalism, the electoral system and challenges for governance and stability. *Journal of African Elections*, 3(1), pp. 140-159.



Within Africa and the Sub-region, the ZANU PF party state was proactive and influential in forging closer solidarity, ending colonial conflicts, and involvement in peace processes across the African continent and the SADC region.⁷²² The relations forged during the liberation struggle alliances, for example under the Frontlines states, nurtured long term regional and continental political solidarity.⁷²³ However, since 2000, ZANU PF suffered international Western ostracization against the backdrop of worsening domestic socio-economic and political conditions. In the absence international diplomatic efforts, the failure of domestic mediation initiatives and the South African led quiet-diplomacy to nudge the ZANU PF party state and the MDC formations into a diplomatic solution, the Zimbabwe conflict was left to SADC and the AU to find a political solution.

4.2.2 Political Party Strategies: ZANU PF Coercion and Consent

ZANU PF adopted a three-tier strategy very much imbedded in the shared historical regional and continental colonial experiences and Pan African linkages during colonial resistance as the fulcrum of its diplomatic approach, mass mobilisation rooted on voluntary consent based on the populist radical mobilisation particularly targeted at its loyal rural social base,⁷²⁴ and, coercive repression targeting the MDC formations while insulating its social base from penetration by the opposition.⁷²⁵

While much of the liberal democratic literature have exclusively focussed on the coercive strategies, such an approach overlooks the reality of widespread ZANU PF support which did not depend on the use of the of force, and the fact that the ruling party continued to be quite popular. In fact, ZANU PF used both consent and coercion in the creation and maintenance of long-lasting political dominance.⁷²⁶ The ruling party turned to illiberal politics characterised by repressive legislation, and oppressive, partisan, simultaneous militarization and politicization of police, judiciary, public service, use of militias called the “Boarder Gezi”, security and military institutions to push back against the burgeoning opposition.⁷²⁷ Human rights

⁷²² Vale, P.1996. Regional Security in Southern Africa, *Alternatives*, 21, pp. 363-391, <https://journals.sagepub.com/doi/abs>.

⁷²³ Martin, D.1981. *The Struggle for Zimbabwe*, Monthly Review Press.

⁷²⁴ Chigora, P, Guzura, P, and Mutumburanzou, J, 2011. *The Challenges Facing Opposition Political Parties in Rural Zimbabwe within 2000-2008*.

⁷²⁵ Southhall, R. 2014. Threats to Constitutionalism by Liberation Movements in Southern Africa, *Africa Spectrum*, 49, 1, pp. 79-99.

⁷²⁶ Moore, D.B.2007. The Ideological Formation of the Zimbabwean ruling class, *Journal of Southern African Studies*, Volume 17, Issue 3, pp. 472-495.

⁷²⁷ Ruhanya, R. 2020. The Militarisation of State Institutions in Zimbabwe, 2002–2017, in Gatsheni-Ndlovu and P Ruhanya, *The History and Political Transition of Zimbabwe, From Mugabe to Mnangagwa*, pp. 181-204, Cham, Palgrave Macmillan.



organizations reported many cases of state perpetrated political violence, incarceration of opposition and civil society actors, gross violation of rule of law, civil and property rights, and grossly punitive action against the exercise of civil liberties and human freedoms, including the introduction of repressive legislation.⁷²⁸

However, ZANU PF achieved consolidation of its hold on state power thorough a combination of coercion and consent, co-optation and conciliation.⁷²⁹ As much as debates on simultaneous militarization and politicization of state institutions and the military dominates debates on ZANU PF strategies, the ruling party also invested in the politicization of government bureaucracy, local government institutions, civil servants,⁷³⁰ civil society and structures of traditional community leadership, ensuring the party was deeply imbedded into its loyalists.⁷³¹

The use of coercively repressive strategies was applied with increased intensity since 2000.⁷³² While the weaponization of political violence is a historical phenomenon in Zimbabwe, it took new height and potency under the FLTR.⁷³³ The FLTR resonated the black masses who faced serious socio-economic challenges. As a coercive violent process, it targeted white commercial farmers and MDC supporters, while rewarding black commercial farmers and peasants who supported ZANU PF with much needed land. By providing land ZANU PF assumed impeccable historically grounded high moral ground and political currency for resolving the land issue.

There is a lot of literature dealing with the issue of political violence, human and property rights violations as the state brazenly became illiberal, as well as cyclical disputed elections barely conducive for free and fair outcomes.⁷³⁴ However, ZANU PF held constitutional regular elections, however flawed, to ensure domestic and international legitimacy, and minimize political costs or sanctions for brazenly violating democratic norms. Indeed, although much of the elections held in Zimbabwe may have been flawed, African institutions and countries

⁷²⁸ Mair, S and Sithole, M.2002. Blocked Democracies in Africa: Case Study Zimbabwe, *ibid*

⁷²⁹ Kriger, N. 2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and Coercion, *African Affairs*, Volume 104, Issue 414, pp. 1–34.

⁷³⁰ Bratton, M., and Masunungure, E. 2008. Zimbabwe's Long Agony. *Journal of Democracy*, 19(4), pp. 41-55.

⁷³¹ Mutanda, D. 2013. The Politicisation, Dynamics and Violence during Zimbabwe's Land Reform Programme, *Journal of Aggression, Conflict and Peace Research*, Volume 5, Issue 1, pp. 35-46.

⁷³² Martin, M.2003. *Mugabe: Power and Plunder*, New York, Public Affairs.

⁷³³ Sachikonye, L.M.2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

⁷³⁴ Sachikonye, L.M.2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

passed them as legitimate, except the 2008 run-off elections, while Western countries and aligned NGOs together with the MDC formations dismissed them as fraudulent and flawed.

As economic decline worsened, ZANU PF took direct control of the economy, and distributed different types of rents as partisan politicised systemic patronage through state sponsored programs of food hand-outs and agricultural support linked to land redistribution⁷³⁵, particularly in rural areas and repossessed farms. Since 2000, ZANU PF used partisan patronage as the basis of its consensual politics centred around the land reform program, and agricultural support, as well as coercion to shield and insulate the rural areas from the MDC in particular, and the opposition in general, making it difficult if not impossible for the opposition to assert its political foothold in rural areas.⁷³⁶ The ZANU PF government designed policies to support land reform programme and provide social safety nets to rural communities as means to consolidate its rural social base and constituencies, solidly maintaining support of peasants' through such programs as the Agricultural Mechanisation and Input, providing farm implements and inputs to resettled farmers. In 2008 the ZANU PF government launched the Basic Commodities Supply Side Intervention (BACOSI), a scheme to provide basic commodities to disadvantaged populations as the whole country faced extremely high prices and shortages of basic commodities.⁷³⁷ However the programme was operationalised in a partisan manner, ensuring that opposition supporters were excluded.

The literature on democratic transitions in Zimbabwe has produced a great deal of scholarship explaining the use of coercive strategies by ZANU PF by focussing on physical violence and intimidation.⁷³⁸ The use of violence and coercive tactics for political ends, a legacy of the violent liberation struggle, was perpetuated after independence, becoming more pronounced during Gukurahundi, 1980-1987, and since 2000.⁷³⁹ Repressive political violence as a political

⁷³⁵ Mutanda, D. 2013. The Politicisation, Dynamics and Violence during Zimbabwe's Land Reform Programme, *Journal of Aggression, Conflict and Peace Research*, Volume 5, Issue 1, pp. 35-46.

⁷³⁶ Chigora, P, Guzura, T and Mutumburanzou, J, 2008. Democracy Under Threat? Interrogating Challenges Facing Opposition Political Parties in Rural Zimbabwe in the 2000 New Millennium, *African Journal of Political Science and International Relations*, Vol. 4, No 8, Available at SSRN: <https://ssrn.com/abstract=1083370>.

⁷³⁷ Chigora, P, Guzura, T, and Ndimande, J, 2015. The Zimbabwe African National Union Patriotic Front (ZANU PF) Regime in Power in the 21st Century: A Question of Popular Support or Preserving Power by Undemocratic Means, *International Journal of Politics and Good Governance* Volume VI, No. 6.3 Quarter III 2015.

⁷³⁸ Kriger, N. 2005. ZANU (PF) Strategies in General Elections, 1980–2000: Discourse and Coercion, *African Affairs*, Volume 104, Issue 414, pp. 1–34.

⁷³⁹ Sachikonye, L.H. 2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.



strategy is deeply entrenched in the culture of Zimbabwean politics.⁷⁴⁰ ZANU PF emerged under conditions of gross punitive political violence, and embraced violence to advance the struggle for independence, to destroy ZAPU and all other opposition formations and their leaders after independence.⁷⁴¹ Coercive strategies were used to neutralise dissent and urban protests, ostensibly to maintain law and order. As argued by Makumbe the use of violence to strike fear and intimidate opponents was a political tactic which resulted in apathy, and undermined freedom to exercise genuine free choice during elections.⁷⁴² Coercive violence was used with devastating effect in 2007 and 2008.⁷⁴³

ZANU PF also weaponized the judiciary, subjecting officials and supporters of the MDC formations and civil society activists to judiciary persecution through arbitrary arrests, and long detentions without trial on charges, some of which they were eventually acquitted.⁷⁴⁴ For example, Morgan Tsvangirai was charged for alleged treason in 2000, 2003,⁷⁴⁵ and again in 2007⁷⁴⁶. In 2007, Tsvangirai together with other opposition leaders were savagely beaten and detained by the police.⁷⁴⁷ Arguably, none of the key officials of the MDC formations escaped arrest and detention between the years 2000 and 2008, including civil society leaders for violation a wide range of broadly sweeping laws, although many of these were eventually acquitted. Coercive strategies, including illegal arrests and detentions were low-cost tactics which generated extensive fear to intimidate opposition supporters against voting for the opposition or engaging in protests. The arrests of Tsvangirai for treason in 2003, and the subsequent long trial sowed seeds of deep mistrust within the opposition which accounted for its split in 2005.⁷⁴⁸ Since 2000, ZANU PF passed some of the most draconian repressive which penalised freedoms of expression, association and movement. These laws thrust the judiciary system at centre of persecution of the supporters of the MDC formations and civil society,

⁷⁴⁰ Sachikonye. 2011. *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

⁷⁴¹ Alexander, J; McGregor, J; Ranger, T.O. 2000. *Violence and Memory: One Hundred Years in the "dark forests" of Matabeleland*, Oxford, James Currey.

⁷⁴² 1 Makumbe, J. 2003. *ZANU-PF: A Party in Transition, Zimbabwe's turmoil: Problems and prospects*, Institute for Security Studies (ISS): Pretoria, South Africa. www.iss.co.za.

⁷⁴³ Sachikonye, L.M.2011. *When a State Turns on its Citizens: 60 Years of Institutionalised Violence in Zimbabwe*, Harare, Weaver Press.

⁷⁴⁴ EISA. 2008. *Zimbabwe: Dissent and repression (2000-2007)*, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022.

⁷⁴⁵ The Mail and Guardian(SA) Tsvangirai to be held in jail until July,10 June 2003, <https://mg.co.za/article/2003-06-10-tsvangirai-to-be-held-in-jail-until-july/>, viewed 20 October 2022

⁷⁴⁶ EISA. 2008. *Zimbabwe: Dissent and Repression (2000-2007)*, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022.

⁷⁴⁷ EISA. 2008. *Zimbabwe: Dissent and Repression (2000-2007)*, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022.

⁷⁴⁸ EISA. 2008. *Zimbabwe: Dissent and Repression (2000-2007)*, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022.



heightening polarised tension and violence particularly after the 2007 attacks on civil society leaders.⁷⁴⁹

The hegemonic personalist party-state under the domination of its leader Robert Mugabe,⁷⁵⁰ focussed on addressing historical contradictions through the land reform and indigenization policies which resonated with its rural social base. The liberation struggle narratives identify with, and resonate with ordinary Zimbabweans who in one way or another, directly or indirectly participated, and were affected by both colonial rule and the liberation struggle. Politically sequenced and planned use of popular consent was applied simultaneously or as an alternative to shock violent campaign to retain popular support, or force dissenters to align their short-term interests with the ruling party, including personal individual security, security of property and land tenure as well as access to patronage.⁷⁵¹

ZANU PF's repression masked well calculated diplomatic agency vested on a solid South-South and Liberation movements governments solidarity. Many critics of quiet-diplomacy overlook ZANU PF diplomatic agency as political capital which ensured regional, continental and international solidarity, especially compared to the MDC's struggle to find diplomatic currency and solid support within the African continent and its Southern sub-region. Given its ostracization from the Western international community, ZANU PF leveraged on its historical and contemporary diplomatic relations within Africa, with much success until 2008 when the regional and continental focus shifted to supporting an inclusive political settlement in Zimbabwe.

ZANU PF's diplomatic thrust was centred on South-South, as well as liberation party governments lobbying for international and regional support. ZANU PF and MDC elites embarked on overtures for engagement and dialogue as early as 2002,⁷⁵² although such efforts were outflanked by parallel opposing diplomatic forays. In its diplomacy, ZANU PF asserted the historical importance of land reform, the threat of Western intervention in the domestic affairs of Zimbabwe and the need to resist Western sanctions. These issues strongly appealed to semi-liberal and authoritarian African countries who were suspicious of Western

⁷⁴⁹ EISA. 2008. Zimbabwe: Dissent and Repression (2000-2007), African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022.

⁷⁵⁰ Southhall, R. 2014. Threats to Constitutionalism by Liberation Movements in Southern Africa, in *Africa Spectrum*, 49, 1, pp. 79-99.

⁷⁵¹ Moore, D. 2008. Coercion, Consent, Context Operation Murambatsvina & ZANU (PF)'s Illusory Quest for Hegemony, in M.T. Vambe, 2008, *The Hidden Dimensions of Operation Murambatsvina in Zimbabwe*, Harare, Weaver Press.

⁷⁵² Coltart, D. 2017. *The Struggle Continues: 50 Years of Tyranny in Zimbabwe*, Johannesburg, Jacana.



intentions and appreciated the legitimacy of the FTLR although they may have not agreed with its method. However, the internationalisation of the Zimbabwe crisis, particularly the issue of the land question led to the imposition of retributive sanctions in 2002, turning Zimbabwe into pariah status, while opening diplomatic tension between Zimbabwe and the UK, the USA and their Western allies.

4.2.3 The MDC: Strategies and Escalation of the Zimbabwe Conflict

The emergence of the MDC marked a departure from week small fragmented political parties, which barely threatened ZANU PFs hold power,⁷⁵³ it plunged Zimbabwe into polarised rupture with ZANU PF political hegemony.⁷⁵⁴ Although strong opposition raise the prospects of democratic transition, the arrival of the MDC formations in the Zimbabwe political scene unleashed the Zimbabwe conflict.

The MDC formations rallied their supporters on the mantra that Mugabe must go peacefully or they would push him out of power. While its stated agenda was to for political reforms,⁷⁵⁵ change of government, return to rule of law, good governance and democratic rule,⁷⁵⁶ its violent rhetoric played into coercive violent inter party and later, intra-party rivalry.

The mix of strategies which the MDCT subscribed to were primarily elections, hence they participated in every election between 2000 and 2013, protests, strikes, demonstrations and civil obedience, which became the fall back strategy in the face of cycles of disputed electoral outcomes, and efforts to push for electoral reforms, diplomatic engagement and lobbying to isolate ZANU PF and exert reform oriented pressure through the international community, and later African countries, the AU and SADC by internationalizing the cost of ZANU PF authoritarianism. The MDCT also threatened to boycott elections unless their demands for political reforms, raising the ante against ZANU PF, which sought elections, however illegitimate, to ensure some modicum of legitimacy. The MDC also used the courts of law to challenge disputed electoral outcomes, delegitimizing ZANU PF rule and Mugabe's incumbents as disputed. Between 2000 and 2008, the united MDC and later, the MDCT

⁷⁵³Laakso, L.2003. Opposition Politics in Zimbabwe. African Studies Quarterly Vol.7 (2) pp. 119-137.

⁷⁵⁴ Lebas, A.2006. Polarization as Craft: Party Formation and State Violence in Zimbabwe, Comparative Politics vol. 38, No. 4 , pp. 419-438.

⁷⁵⁵ Global Times, New political party launched in Zimbabwe, 2 July 2009, <https://www.globaltimes.cn/content/441990.shtml>, Viewed, 20 November 2020.

⁷⁵⁶ Raftopoulos, B.2001. The Labour Movement and the Emergence of Opposition Politics in Zimbabwe, Politique africaine Volume 81, Issue 1, pp. 26 -50.



challenged all the elections results, ensuring that in spite of ZANU PF incumbents, the regime carried a cloud of illegitimacy.⁷⁵⁷

The MDCT infused itself into civil society organizations, mutating into fractional and collective issue-based campaigns bringing together a diversity of formations ranging from churches, students, smaller political parties, pro-democracy civil society formations under the umbrella of the Save Zimbabwe Campaign which intensified simultaneous protests over constitutional issues, bread and butter grievances tied to the cost of living, the cost of education and living conditions for students, human rights and civil liberties issues.⁷⁵⁸ The Save Zimbabwe campaigns stretched ZANU PF authoritarian measures in responding to nationally coordinated simultaneous protests, escalated violent interparty rivalry, which had lulled in the aftermath of the split of the original MDC, imploding into the arrests and attacks of civil society leaders which culminated in the first SADC mediation in 2007.⁷⁵⁹ By imbedding into pro-democracy civic formations, the MDCT utilised financial and logistical resources drawn from these institutions, circumventing restrictions on political funding which denied the party access to direct private or external funding.

From the 2006 conference, the MDCT refocussed its diplomatic engagement towards Africa and specifically the SADC. Since its formation in 2000, the MDC had embarked on international lobbying directed towards the West, informed by the need to condemn, ostracize, and impose sanctions on ZANU PF and its elites. Although the Western international community, for its own interests, but in convergence with calls by the opposition, imposed sanctions on Zimbabwe in 2002, these sanctions further polarized the conflict parties, while emboldening accusations at home that the MDC was a Trojan horse of Western interests. Increasingly, the MDCT sought to align its diplomatic lobbying with the quest for home-grown continental and regional solutions as it became apparent that the West were part of the problem, while African regional and continental institutions offered better prospects for a solution to the Zimbabwe conflict. Fundamentally, MDCT elites shifted from the position to remove Mugabe by force to seek a negotiated political settlement as articulated in the roadmap of 2006.

⁷⁵⁷ EISA. 2008. Zimbabwe: Dissent and Repression (2000-2007), African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zimoverview6.htm>, Viewed 20 July 2022

⁷⁵⁸ Kubatana.net, Strikes and Protests 2007- Save Zimbabwe Campaign, http://www.archive.kubatana.net/html/archive/cact/070216kubsavezim.asp?sector=DEMGG&year=2007&range_start=1261, Viewed 20 November 2022

⁷⁵⁹ Kubatana.net, Strikes and Protests 2007- Save Zimbabwe Campaign, http://www.archive.kubatana.net/html/archive/cact/070216kubsavezim.asp?sector=DEMGG&year=2007&range_start=1261, Viewed 20 November 2022



The shift towards African solutions by the MDCT was fundamental in building trust and confidence in its former civic leaders who were viewed with a mixture of mistrust and derision, particularly by former liberation party governments in the SADC region. The rise of the MDC was viewed as a critical threat to the dominance of liberation party governments in much of Southern African sub-region, but not without concern for the failures and authoritarian culture of ZANU PF politics.⁷⁶⁰ The MDC represented an unsettling emerging scenario for liberation party governments which were suspicious of collaboration between trade unions, civil society formations funded by the Western international community to topple them from power like the case of Zambia where Chiluba was backed by labour to defeat Kaunda.⁷⁶¹ The focus on its international diplomacy towards African countries warmed up attitudes in some African countries Like Botswana under Ian Khama which became openly critical of the ZANU PF government, Zambia under Mwanawasa, Malawi under Joyce Banda, to cite a few examples. These leaders openly spoke against human rights violations, while other leaders sought official channels to counsel the Zimbabwe government to change course and tactic to dialogue.

While the split of the MDC weakened the party, and implicated a range of issues such as differences in strategies to confront ZANU PF in the face of disputed electoral outcomes, ethnic polarization, intraparty violence, organizational issues and control of the party amongst others,⁷⁶² such issues as violent polarized intraparty violence and exclusionary ethnic mobilization reflected pervasive problems in Zimbabwean political contestation. In 2002 internal contradictions led to the expulsion of the radical leftists like Munyaradzi Gwisai for openly supporting the Fast Track Land Reform, against the Party's official position which was inclined towards more neo-liberal policies.⁷⁶³ Although the MDCT and MDC attempted to reunite, the violence associated with the MDC split in 2005 sowed deep seeds of division, aggravated by mistrust, mutual resentment and suspicions amongst the key opposition elites,⁷⁶⁴ which characterised the broader political spectrum in Zimbabwe, including relations between the MDCT, the MDC and ZANU PF. As shocking as the intraparty violence inflamed

⁷⁶⁰ The Mail and Guardian, SA, The Mbeki - Mugabe papers: A discussion document, <http://www.mg.co.za/uploads/mbekimugabepapers.pdf>,

⁷⁶¹ Mills, G. 1992. Zambia and the Winds of Change, *The World Today*, Vol. 48, No. 1, pp. 16-18.

⁷⁶² Sithole, E. 2022) Language and Factional Polarity in the Movement for Democratic Change in Zimbabwe. *Journal of Asian and African Studies*, 0(0). <https://doi.org/10.1177/00219096221137670>.

⁷⁶³ Green Left, Zimbabwe: Socialist MP expelled from parliament, December 12 2002, <https://www.greenleft.org.au/>, Viewed 20 November 2020.

⁷⁶⁴ Raftopoulos, B. 2000. The Labour Movement and the emergence of opposition politics in Zimbabwe, *Labour, Capital and Society / Travail, capital et société*, Vol. 33, No. 2, Special Issue /Numero Thematique: Zimbabwe—Independence and Beyond / Zimbabwe—au-delà de l'indépendance, pp. 256-286.

during the MDC split was,⁷⁶⁵ it reflected that political violence and its instrumentalization to advance political goals permeated Zimbabwean society, including civil society formations.

Like its predecessor, the original MDC, the MDCT was a broad coalition of disparate forces opposed to the ZANU PF regime⁷⁶⁶, academics, the students' movement, the informal sectors, national constitutional movement, churches, trade unions, women's groups, and the broader civil society,⁷⁶⁷ and prominent individual elites. Many of the founding groups of the original MDC formation stayed or eventually re-joined the MDCT, as the party mutated into civil society formations, churches, NGOs.⁷⁶⁸

The top leadership of the MDCT was qualitatively a down grade from the opposition political heavy weights who founded the party.⁷⁶⁹ The 12 member Standing Committee of the party was dominated by Tsvangirai, and a faction concentrated around him,⁷⁷⁰ mirroring the personalist dominancy characteristic of ZANU PF, and reducing the Zimbabwean political contestation to a battle between Mugabe and Tsvangirai. The structures of the MDCT embraced ethnic balancing between the Shona and the Ndebele within its structures, legitimizing ethnic-political representation as narrowly defined by the Unity Accord signed between ZANU PF and PF ZAPU in 1987. However, unlike pre- the split, the MDCT merely attracted individuals from the Ndebele community, while much of the voting base backed the MDC led by Ncube.

The strategic and organizational realignment of the MDCT after the split of 2005 reinvigorated the party, allowing it to embark on game-changing mass protests, strikes, demonstrations and international campaigns informed by various ideas of civil disobedience to expose ZANU PF excesses, and raise the costs of repression. The MDCT also focussed on increasing domestic and international pressure to force ZANU PF and Mugabe to the negotiating table, which would

⁷⁶⁵ Raftopoulos, B. 2016. Reflections on opposition politics in Zimbabwe: The Politics of the Movement for Democratic Change (MDC), archive.kubatana.net, Viewed 20 November 2020.

⁷⁶⁶ Kamete, A.Y. 2007. Of Jinxes and Blessings: The Opposition in Zimbabwe's Urban Local Governance, in H. Melber (ed) *Political Opposition in African Countries, The Cases of Kenya, Namibia, Zambia and Zimbabwe*, Discussion Paper No.7, Nordiska Afrikainstitutet, Uppsalla.

⁷⁶⁷ Raftopoulos, B. 2000. The Labour Movement and the emergence of opposition politics in Zimbabwe, *Labour, Capital and Society / Travail, capital et société*, Vol. 33, No. 2, Special Issue /Numero Thematique: Zimbabwe—Independence and Beyond / Zimbabwe—au-delà de l'indépendance, pp. 256-286.

⁷⁶⁸ Raftopoulos, B. 2000. The Labour Movement and the emergence of opposition politics in Zimbabwe, *Labour, Capital and Society / Travail, capital et société*, Vol. 33, No. 2, Special Issue /Numero Thematique: Zimbabwe—Independence and Beyond / Zimbabwe—au-delà de l'indépendance, pp. 256-286.

⁷⁶⁹ MDC Constitution, [The.Final.Constitution.pdf\(veritaszim.net\)](http://The.Final.Constitution.pdf(veritaszim.net)), Viewed 20 November 2020.

⁷⁷⁰ MDC Constitution, [The.Final.Constitution.pdf\(veritaszim.net\)](http://The.Final.Constitution.pdf(veritaszim.net)), Viewed 20 November 2020.



lead to free and fair elections whose outcome would be upheld by all political contestants.⁷⁷¹ From 2006, the MDCT raised intense pressure against ZANU PF with escalating mass protests, strikes and stay-aways, some of which turned extremely violent, which resulted in SADC direct intervention in 2007 to seek a regional solution to the Zimbabwe conflict.

4.2.4 The MDC Strategies: Seeking the Elusive Middle Road in Zimbabwean Polarised Rivalry

The MDC, also called the MDCM(utambara) and MDCN(ube) was the other faction of the original MDC of 2000, which emerged after the 2005 split. At its congress in 2006, the MDC elected former vibrant student leader, acclaimed academic, Arthur Mutambara to lead the faction. Although Mutambara was not a member of the MDC, the smaller faction of the MDC reasoned that his popular previous leadership of the strong student leadership, general popularity among young Zimbabweans and international credibility would strengthen and popularize the organization, while bringing fresh untainted political technocratic thinking into the opposition.⁷⁷²

In Zimbabwe's ethnically polarized and toxic intra-party polarized political dynamics,⁷⁷³ it was believed that Mutambara, a Shona from the eastern regions of Zimbabwe would also appeal to the majority Shona people, given that the MDC had recoiled into a part perceived to be dominated by the Ndebele people from the South Western regions of Zimbabwe.⁷⁷⁴ The split of the MDC was internecine, characterized ethnic, personalist,⁷⁷⁵ organizational and political cultural issues which reflected intolerant and undemocratic national political attitudes and behaviours.⁷⁷⁶ Although Mutambara assumed the leadership of the faction, Ncube, the former Secretary General of the united MDC, and key protagonist of the MDC split in 2005, remained the real power behind the throne. In spite of his record as a student leader, international acclaimed academic achievements, and international professional reputation, Mutambara had

⁷⁷² IWPR, Is Arthur Mutambara Zimbabwe's Hope?, 28 February, 2006, <https://iwpr.net/global-voices/arthur-mutambara-zimbabwes-hope>, Viewed 20 October 2022.

⁷⁷³ Hlahla, K.2022. Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015, PhD Thesis, University of Johannesburg, <http://hdl.handle.net/102000/0002>: Viewed 22 August 2022.

⁷⁷⁴ Sithole, E. 2022. Language and Factional Polarity in the Movement for Democratic Change in Zimbabwe. Journal of Asian and African Studies, 0(0). <https://doi.org/10.1177/00219096221137670>.

⁷⁷⁵ Financial Times, Zimbabwe's Opposition Party Splits, 12 January 2006, <https://www.ft.com/content/e7c4b71c-8393-11da-9017-0000779e2340>, Viewed 11 October 2022

⁷⁷⁶ International Crisis Group, 2006, Zimbabwe's Continuing Self-Destruction, Africa Briefing, No.38, <https://www.files.ethz.ch/isn/18068/b038>, Viewed 10 October 2022.



been a rank outsider from opposition politics, detached from Zimbabwean cut-throat, deeply polarized personalist politics after staying abroad for over 15 years,⁷⁷⁷ which made Tsvangirai the most potent face of opposition against ZANU PF and Mugabe.

Like the original MDC, the new MDC professed to be rooted in social democracy, and was organizationally similar to the MDCT. However, in a departure from the original MDC, and the MDCT, the MDCM Mutambara himself, repositioned itself by integrating national liberation symbolism.⁷⁷⁸ In many of his speeches since his election as President of the MDCM, and later as Deputy Prime Minister, Mutambara widely grounded his rhetoric in narratives of the liberation struggles, which had been exclusively monopolised by ZANU PF, as potent partisan exclusionary national narratives.

The MDCM strategy can be surmised from comprehensive interviews which Mutambara gave to Violet Gonda three months after taking the leadership of the smaller faction of MDC. The three pillars of the strategy rested on re-unifying with the MDCT or building pacts, coalitions or rainbow coalitions, or simply some electoral pacts with other political parties and leaders to remove ZANU PF from power, which were based on mutual commitment values and principles of democracy to maximise the potential and possibility of change.⁷⁷⁹ The MDCM argued that the original MDC formation had lost its moral authority to confront the ZANU PF through intraparty violations of democratic norms and principles.⁷⁸⁰ The MDCM traced the Zimbabwe conflict to historical and contemporary culture of violence and impunity which had permeated and pervaded all civil society organizations and the broader Zimbabwean society.⁷⁸¹

Since 2000, Zimbabwe had slumped into a two-party exclusionary hegemonic system, dividing the nation through the middle, leaving very little room for a serious role for other democratic

⁷⁷⁷ IWPR, Is Arthur Mutambara Zimbabwe's Hope? 28 February, 2006, <https://iwpr.net/global-voices/arthur-mutambara-zimbabwes-hope>, Viewed 20 October 2022.

⁷⁷⁸ VOA, Mutambara Faction of Zimbabwe Opposition Repositions - But Won't Give Up MDC Name, 10 May 2006, <https://www.voazimbabwe.com/a/a-13-56-74-2006-05-10-voa69-68987512/1464081.html>, Viewed 10 October 2022.

⁷⁷⁹ SW Radio Africa, Transcript of Violet Gonda's interview with Arthur Mutambara (Part Two), on the programme 'Hotseat', May 23rd 2006, http://www.swradioafrica.com/News_archives/files/2006/May/Tues%2023%20May/2nd-mutambara-interview.html, Viewed 16 November 2022.

⁷⁸⁰ SW Radio Africa, Transcript of Violet Gonda's interview with Arthur Mutambara (Part Two), on the programme 'Hotseat', May 23rd 2006, http://www.swradioafrica.com/News_archives/files/2006/May/Tues%2023%20May/2nd-mutambara-interview.html, Viewed 16 November 2022.

⁷⁸¹ SW Radio Africa, Transcript of Violet Gonda's interview with Arthur Mutambara (Part Two), on the programme 'Hotseat', May 23rd 2006, http://www.swradioafrica.com/News_archives/files/2006/May/Tues%2023%20May/2nd-mutambara-interview.html, Viewed 16 November 2022.



forces or political parties, reducing the struggle for democracy to only between the MDCT and ZANU PF, Mugabe and Tsvangirai, leaving little room for any role or path for political formations in the middle. The MDCM suggested that the split of the original MDC needed to be managed properly into an amicable divorce without involving the courts or the speaker of parliament to ensure an amicable divorce which would allow both factions to co-exist and continue to advance the struggle for democracy.

The MDCM for the first time openly proposed political pacts or coalitions as means to end the conflict in Zimbabwe. The MDCM strategy rejected any form of alliance with ZANU PF and Mugabe, who were the enemy, suggesting the opposition needed to resolve its in-house contradictions in order to work together, concentrating their energies towards fighting ZANU PF.⁷⁸² During the 2008 elections, the MDCM backed Simba Makoni, a former rising star within ZANU PF, who defected to challenge Mugabe, after unity talks with the MDCT collapsed. Although Mutambara had untainted views about the opposition and the Zimbabwean conflict in general, the key brokers in his party harboured deep ethnic, personal and political mutual rivalry with their former colleagues in the MDCT.

The MDC strategy also focussed on governance and the economic programmes centred on building the capacity the party to govern centred on national vision and programmes to move the country forward. The key to such a programme revolved around participation in all constitutional elections in Zimbabwe. The issue of participation in the reintroduced Senate elections was the final theatre of violently polarized intraparty violence and division within the original MDC. The MDCT seriously pondered elections boycotts and protests as the only means to either push ZANU PF from power, or to bring it to the negotiating table. The constitutionalists within the party were worry of boycotting elections, unsure of whether protests would be effective given ZANU PF control and use of the military and security institutions. To an extent, they also feared the escalation of repression which could destroy the whole opposition movement. Arguably, both approaches, disputed elections and protests were set to intensify conflict with ZANU PF.

The third tier of the MDC strategy focussed on internal governance through promotion of internal democratic values and principles, as well as party building and mobilisation through

⁷⁸² SW Radio Africa, Transcript of Violet Gonda's interview with Arthur Mutambara (Part Two), on the programme 'Hotseat', May 23rd 2006, http://www.swradioafrica.com/News_archives/files/2006/May/Tues%2023%20May/2nd-mutambara-interview.html, Viewed 16 November 2022.



delivery by proactively solving local community and constituencies problems in schools, clinics, hospitals, as well as proactively addressing national problems such as fuel shortages, shortages of food, rising unemployment, collapsed health care, amongst others, thus advancing solution centred political contestation.⁷⁸³ The opposition in Zimbabwe comprehensively criticised ZANU PF, which had failed to resolve the Zimbabwe national crisis, however, there was very suggestions on solutions, or alternatives. While this may have emanated from diminished internal political and technical capacity within the opposition rank and file, and professionals sought the safe spaces by dissociating with poisoned partisan polarization, violent political mobilization tend to revolve around strong personalities and parties. The key constituencies became so consumed with personalities more than programmatically informed politics, hence the displacement of the middle, and informed political dissent based on programmatic content and substance, as opposed to the political character of individuals.

While the MDCM claimed to embrace jambanja, political protests, they only located them as part of their electoral strategy. After the split, they focussed on rebuilding the party mainly in the Matabeleland regions, which became their main support base. In 2006, they joined the Save Zimbabwe Campaign, but it was mainly an initiative of the MDCT. Following the 2007 protests, Mutambara was arrested together with Tsvangirai, and set in the subsequent SADC-led negotiations. During the 2008 elections the party won five seats, allowing them a seat at the SADC negotiations to end the resultant election deadlock.

4.3 Hurling Towards Political Deadlock, Regional Diplomacy and Interplay Dialogue

Although the 2007 violence and the 2008 elections deadlock opened the way for SADC regional diplomacy to end the Zimbabwe conflict, it was evident that Zimbabwe was headed for escalated violence as the conflict dug in without a solution to both long-term and emerging conflict cleavages, ranging from entrenched partisan divisions over the land reform, the new constitution, elections, and continued polarized violence. The internal dynamics within both ZANU PF and the MDC formations might have shifted the focus of the political and their leaders to intraparty matters until 2006, however, the internal consolidation of power by both Tsvangirai

⁷⁸³ SW Radio Africa, Transcript of Violet Gonda's interview with Arthur Mutambara (Part Two), on the programme 'Hotseat', May 23rd 2006, http://www.swradioafrica.com/News_archives/files/2006/May/Tues%2023%20May/2nd-mutambara-interview.html , Viewed 16 November 2022.



and Mugabe, but without clear answers to the national question reset the conflict into aggravated polarized violent confrontation.

Mugabe emerged from the chaotic internecine attempts at his succession by Mnangagwa towards the ZANU PF 2006 congress to consolidate his hold on ZANU PF, government and state power, clearing his path as the ZANU PF presidential candidate in 2008.⁷⁸⁴ Tsvangirai consolidated his grip on the MDCT, realigned the party to launch the SAVE Zimbabwe Campaign, once successfully bringing his mass support into the streets to protest ZANU PF and Mugabe's rule on the back of worsening socio-economic conditions.⁷⁸⁵

The violent unprecedented open violent repression of the 2007 protests were the first indicators that both ZANU PF and the MDC were facing an intricate political deadlock which could only get worse. The MDC protests and strikes worsened tension and prospects of violent conflict. For the first time since 2000, in 2007, the police arrested and directly physically brutalised opposition and civil society leaders, triggering global outcry for urgent solutions to the Zimbabwe crisis.

The growing calls for a regional solution following the violent crackdown on the Save Zimbabwe Campaign rallies paved the way for the SADC mediation in 2007. This process replaced the bilateral quiet diplomacy led by South Africa, shifting to a multilateral regional approach executed through SADC. In 2007 and 2008 Mbeki led the SADC diplomatic push for a solution to the Zimbabwe crisis with engagements with the Zimbabwe government and the conflict parties.⁷⁸⁶

The interparty convergence on regional diplomacy was also necessitated by the changing internal dynamics within the conflict parties. Divisions within both the MDC and ZANU PF scuttled any serious concessions from the South Africa led dialogue between 2002 and 2006. Manoeuvres over internal succession in ZANU PF rocked the Party to its lowest structures before Mugabe regained firm control of the Party and the state again. The MDC also split in

⁷⁸⁴ Msindo, E. 2016. Factionalism and Robert Mugabe's leadership in Zimbabwe. In E. Obadare and W. Adebani (Eds.) *Governance and the crisis of rule in contemporary Africa*, New York, Palgrave Macmillan, pp. 147-172.

⁷⁸⁵ Hlahla, K. 2022. *Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015*, PhD Thesis, University of Johannesburg, <http://hdl.handle.net/102000/0002>: Viewed 22 August 2022.

⁷⁸⁶ Adelman, A. 2004. *Quiet Diplomacy: The Reasons Behind Mbeki's Zimbabwe Policy*, *Africa Spectrum* Vol. 39, No. 2, pp. 249-276.

2005, taking another year for Tsvangirai to regain control and re-assert the influence of the MDCT through protests which threatened to implode beyond ZANU PF coercive control.

Efforts for a solution to the Zimbabwe conflict through domestic mediation also flopped. In 2003 the Catholics Bishops Conference led by Patrick Mutume, the Zimbabwe Christian Council led by Bishop Bakare, and the Evangelical Fellowship of Zimbabwe led by Trevor Manhanga met Mugabe and senior members of his party to discuss how the church could possibly mediate in the crisis.⁷⁸⁷ This meeting generated a national envisioning process and produced a document called “The Zimbabwe we Want.”⁷⁸⁸ These clergyman aimed to break partisan polarization and forge consensus on the issues affecting the country.⁷⁸⁹ This process was spurned by the MDC which viewed it as partisan and predetermined by Mugabe and the ruling Party including in its possible outcomes.⁷⁹⁰ The MDC rejected the “Zimbabwe we Want” vision document as partisan and predetermined, although, for the first time in three years, the MDC’s 54 MPs did not boycott Mugabe’s speech to Parliament, while Mugabe omitted his verbal attacks on the MDC ostensibly to create conditions for dialogue.⁷⁹¹ This gesture also marked the first public gestures towards dialogue, although violent cross partisan political confrontation and intransigence persisted.

The failure of mass protests and elections to remove ZANU PF from power was deactivating the MDC social base, and causing serious internal disagreements. Apparently, at its formation, the MDC had not envisaged a long drawn, ever shifting struggle for elusive power in the face of violently brutal repression.⁷⁹² The contestation and disputations over the outcomes of the 2000 and 2002 elections triggered a paralysing debate about the viability of electoral contestation against electoral fraud, violation of electoral norms, human freedoms, human and

⁷⁸⁷ Independent Catholic News (ICN) Zimbabwe: Church Leaders Meet Mugabe, January 2003, www.indcatholicnews.com viewed 22 March 2018.

⁷⁸⁸ The Zimbabwe We Want: “Towards a National Vision for Zimbabwe”, A Discussion Document Prepared by the Zimbabwe Catholic Bishops Conference, http://archive.kubatana.net/docs/relig/zim_churches_national_zim_vision_060918.pdf, Viewed 23 November 2020.

⁷⁸⁹ The Zimbabwe We Want: “Towards a National Vision for Zimbabwe”, A Discussion Document Prepared by the Zimbabwe Catholic Bishops Conference, http://archive.kubatana.net/docs/relig/zim_churches_national_zim_vision_060918.pdf, Viewed 23 November 2020.

⁷⁹⁰ Independent Catholic News (ICN) Zimbabwe: Church Leaders Meet Mugabe, January 2003, www.indcatholicnews.com viewed 22 March 2018.

⁷⁹¹ Independent Catholic News (ICN) Zimbabwe: Church Leaders Meet Mugabe, *ibid*.

⁷⁹² Hlahla, K.2022. Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015, PhD Thesis, University of Johannesburg, <http://hdl.handle.net/102000/0002>: Viewed 22 August 2022.



property rights, militarization of state institutions and politicization of military and security institutions which rendered peaceful free democratic contestation and political change impossible.⁷⁹³

Mugabe, like his nemesis, Tsvangirai faced simmering internal organizational struggles and leadership challenges which seemed to weaken his positions and hold on power within ZANU PF. Compared to Tsvangirai, Mugabe seemed to have regained control and was in a stronger position to manage the affairs of both the state and his Party. After controversially winning the 2005 Parliamentary election and reintroducing the Senate. The Bi-cameral parliamentary system based on constitutional amendment No. 17,⁷⁹⁴ accommodated ZANU PF officials who were left out of Parliament, thereby minimising or managing political jostling for political office, and subsequently, his succession,⁷⁹⁵ reaffirming his control of ZANU PF and the state.

A combination of brutal repression after the “Final Push” and drawn-out legal battles at the courts of law seemed to have wearied or mellowed Tsvangirai down. Since 2002 Tsvangirai faced treason charges.⁷⁹⁶ In March 2002, Tsvangirai was charged with treason, potentially facing a death sentence and a two-year trial before he was subjected to the same charge after acquittal at the end of 2003 for his role during the “Final Push” protests. Then in 2005 the MDC acrimoniously and violently split into two factions following simmering strategic, tactical and personal differences.⁷⁹⁷ The wave of political protests post -2006, reflected rapidly shifting political dynamics showing the MDCT especially on the rise. The Save Zimbabwe Campaign brought various civil society formations to challenge ZANU PF through protests which threatened to sweep ZANU PF out of power, given the worsening socio-economic conditions. The brutalization of opposition and civil society leaders in 2007 marked the height of deadlocked conflict as ZANU PF, the opposition MDC and broader civil society were locked in violent repression without a solution.

Human rights violations in Zimbabwe amplified Western criticism of ZANU PF. Critics and proponents of the role of South Africa between 2000 to 2007 have generally overlooked the

⁷⁹³ Hlahla, K.2022. Fault-Lines Within the Movement for Democratic Change: Factionalism and Zimbabwe's Opposition, 1999-2015, PhD Thesis, University of Johannesburg, <http://hdl.handle.net/102000/0002>: Viewed 22 August 2022.

⁷⁹⁴ The Constitution of Zimbabwe Amendment (No.17) Act, 2005.

⁷⁹⁵ MDC Split on Zim Senate, Mail and Guardian, 12 September 2005, mg.co.za, viewed 15 September 2019.

⁷⁹⁶ Moyo. J. 2004. Tsholotsho Saga: The Untold Story, *ibid*.



implications of Western censure of the ZANU PF government. Western criticism fuelled tensions in a delicate sensitive on-going conflict which was worsening. South African diplomacy, as with SADC diplomacy had to navigate the delicate domestic polarization, and its conflated international dimensions which ZANU PF invoked in taking hard-line posture which rejected dialogue. Mugabe and ZANU PF represented the typical African old guard who were worry of Western intervention.⁷⁹⁸

The Western international community as represented by the G8,⁷⁹⁹ the EU and USA, the Commonwealth imposed sanctions on Zimbabwe since 2002. The Zimbabwe economy plunged into hyper-inflationary pressure by 2008, igniting potential political instability. Western global leaders acted in concert for many reasons, and to some extent simplistically, holding Zimbabwe as a standard measure for commitment to continental renewal based on rule of law, respect for human rights and democratic rights.⁸⁰⁰

4.4 Conclusion

The three conflict parties became more disposed to adversarial conflict, with the 2007 and 2008 violence marking the height of the Zimbabwe conflict deadlock and risking further escalated violence. Mutated polarized violence rooted in historical and contemporary conflict cleavages reinforced mutual violent partisan division diminishing any prospects of democratic convergence. The entrenched adversarial conflict behaviours and identities blurred the possibility of dialogue and democratic transition in Zimbabwe and fuelled violent conflict dynamics. The conflict parties could not extricate themselves out of the conflict in spite of both Western pressure, and domestic initiatives towards domestic dialogue risking domestic implosion, hence by 2007 and 2008, regional diplomacy remained the only path out of the conflict.

⁷⁹⁹ IOL, Africa wants Partnership with G8, says Mbeki, 18 June 2002, <https://www.iol.co.za>, viewed 12 July 2019.

⁸⁰⁰ IOL, Mbeki to Press G8 Leaders on Africa, 7 July 2008, <https://www.iol.co.za> viewed 13 July 2019.



CHAPTER 5: THE SADC MEDIATION AS REGIONAL PAN-AFRICAN DIPLOMACY AND DEMOCRATIC TRANSITION IN ZIMBABWE

5.1 Introduction

This chapter discusses the SADC mediation in Zimbabwe as Pan-African home-grown regional diplomacy in consideration of the sub-regional historical processes which shaped the emergence, content, character and practices of SADC diplomacy. The post 1990s regional reforms were rooted in the quest for African agency in generating home-grown solutions based on African diplomatic initiatives. The liberal democratic perspectives overlook the historically informed, Pan-African roots of continental and regional cooperation, and understate the influence of Afro-centric debates and ideas in SADC regionalism and regional diplomacy,⁸⁰¹ hence their skewed conclusions on the role, outcomes and implications of the SADC mediation in Zimbabwe. The SADC mediation successfully initiated and fostered interparty dialogue leading to a political settlement between 2008 and 2013, the formation of the Inclusive Government and political and economic stability by persuading the conflict parties to work together in finding political solutions to violent political polarization which have historically pervaded Zimbabwean politics. However, since 2013, Zimbabwe relapsed into a political and socio-economic crisis. While this study does not look at the period beyond 2013, it could be argued that the relapse into polarized violence, which culminated in the removal of President Mugabe from power through unconstitutional means in 2017, and disputed elections in 2018 amidst calls for further regional mediation demonstrated efficacious resonance of the SADC mediation in ending the Zimbabwe crisis. Given the complexity and extent of historical and contemporary violent polarization in Zimbabwe and entrenched pervasive ZANU PF hold of state and government power the SADC mediation reset political contradictions towards political stability and subsequent democratic transition by persuading the polarised conflict protagonists, ZANU PF and the MDC formations to work together in advancing shared common national interests, leading to the adoption and implementation of institutional and constitutional reforms, although some of these reforms have since been reversed or eroded. This chapter discusses the process of SADC mediation, power sharing through political accommodation and implementation of the SADC mediated agreement under the Inclusive Government.

⁸⁰¹ Martin, G.2002. African World Politics: A Pan-African Perspective, Trenton, Africa World Press, pp.125-127.



5.2 The SADC Process of Mediation and Interparty Negotiation in 2007 and 2008-2013

We consider the SADC mediation of 2007, and 2008-2013 as a continuation of the same process. While the SADC intervention in 2007 emanated from the attacks on civil society and opposition leaders, including both the MDCT and MDCM, and the 2008 process emerged out of the subsequent election deadlock, as discussed in chapters 3 and 4. Both cases raised concerns about heightened politically deadlocked violence and persistent historical contradictions amplified by conflated Western interests, physical and ideological violently polarized political rivalry between ZANU PF, the MDCT and the MDCM.

SADC responded to the bashing of opposition and civil society leaders on 11 March 2007, by convening an Extraordinary Summit in Dar es Salaam whose outcome consensually converged on a negotiated solution to the Zimbabwe crisis.⁸⁰² Following the violent electoral deadlock in 2008, SADC mandated President Mbeki to continue with regional mediation amongst the key conflict protagonists to seek for a domestically negotiated political settlement.

For the first time since 2000, SADC leaders struck unusual formal official open consensus to assign and back Mbeki to lead the mediation process to find a lasting solution to the deepening socio-economic and political crisis. Mbeki was backed to “continue to facilitate dialogue between the opposition and the government and report back to the troika on progress,” marking the first formal direct involvement of the regional board in the mediation of the Zimbabwe conflict in 2007.⁸⁰³

The institutional regional multi-lateral intervention in Zimbabwe marked a departure from quiet-diplomacy, a bilateral engagement at party-to-party, and government to the government which characterized South Africa’s diplomatic efforts to find solutions for the Zimbabwe conflict since 2000.⁸⁰⁴ Critics of quiet-diplomacy argued that it was futile, emasculated regional efforts towards a solution to the Zimbabwe conflict by ignoring ZANU PF excesses and or supporting Mugabe, while shielding Zimbabwe from regional and international interventions.⁸⁰⁵

⁸⁰² Communiqué of SADC Extra-Ordinary Summit of Heads of State and Government, Dar es Salaam, Tanzania, March 28-29, 2007, <https://www.sadc.int/files/7513/5292/8388/SADC>, Viewed 28 December 2021.

⁸⁰³ Communiqué of SADC Extra-Ordinary Summit of Heads of State and Government, Dar es Salaam, Tanzania, March 28-29, 2007, <https://www.sadc.int/files/7513/5292/8388/SADC>, Viewed 28 December 2020.

⁸⁰⁴ Mutenheri, F. 2010. South-South Co-operation or Sub-Imperialism? South African “Quiet Diplomacy”, SADC Docility, and the Underdevelopment of Zimbabwe. OSSREA Bulletin, 7(1), pp. 32-41.

⁸⁰⁵ Mutenheri, F. 2010. South-South Co-operation or Sub-Imperialism? South African “Quiet Diplomacy”, SADC Docility, and the Underdevelopment of Zimbabwe. OSSREA Bulletin, 7(1), pp. 32-41.



The SADC intervention rendered regional multilateral diplomatic political weight and impetus towards a regional solution to the Zimbabwe conflict. By appointing Mbeki to lead the mediation process, the SADC leveraged on close to a decade of diplomatic experience drawn from Mbeki's engagements with the Zimbabwe conflict protagonists.⁸⁰⁶ Since 2000, Thabo Mbeki relentlessly committed South Africa to bilateral engagement at the level of government to government, and political parties involving the ANC and ZANU PF, as well as official and personal contacts with Mugabe without much success.⁸⁰⁷ During the 1990s Mbeki emerged as advocate in chief of African renewal, African agency in implementing home grown solutions to solve domestic, regional and continental problems, challenging global western epistemic dominance and policy influence in Africa.

Zimbabwe also faced relentless Western coercive diplomacy anchored on sanctions, regime change, condemnation and isolation, including pressure on SADC countries to push Mbeki to adopt a strong handed approach beyond 'quiet diplomacy'.⁸⁰⁸ The protagonists of the SADC mediation took the view that advocates of coercive diplomacy strongly misconceived the conflict dynamics in Zimbabwe, as well as regional and continental diplomatic efforts to find a political solution to end the Zimbabwe conflict.⁸⁰⁹ They further postulated that aggressive, tough coercive diplomacy combining sanctions and condemnation of authorities in Zimbabwe did not provide answers to the problems at hand, but was rather ineffective and counter-productive.⁸¹⁰ As a result the SADC mediation adopted an approach that privileged, "suasion and engagement", over confrontation and coercive diplomacy,⁸¹¹ locating any solution to the Zimbabwe conflict in domestic dialogue and the role of the conflict protagonists themselves, against any imposition by external players.

⁸⁰⁶ Moore, D. 2010. A decade of disquieting diplomacy: South Africa, Zimbabwe and the ideology of the National Democratic Revolution, 1999–2009. *History Compass*, 8(8), pp. 752-767.

⁸⁰⁷ Moore, D. 2010. A decade of disquieting diplomacy: South Africa, Zimbabwe and the ideology of the National Democratic Revolution, 1999–2009. *History Compass*, 8(8), pp. 752-767.

⁸⁰⁸ Mufamadi, S.2016. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, 2010 - Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.

⁸⁰⁹ Mufamadi, S.2016. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, 2010 - Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.

⁸¹⁰ Mufamadi, S.2016. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, 2010 - Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621.

⁸¹¹ Mufamadi, S.2016. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, 2010 - Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.

A reading of the communiques of the SADC Summits shows that's regional leaders persistently sought internal dialogue amongst the Zimbabwe conflict protagonist as a mechanism towards political stability and democratic transition. They called for SADC facilitated dialogue between the opposition and the government, and encouraged enhanced diplomatic contacts to assist with the resolution of the situation in Zimbabwe. They called on Britain and the Western countries to honour their obligations with regards to land reform based on the Lancaster House, and called for the lifting of all forms of sanctions against Zimbabwe as stated in the first communique on the Zimbabwe conflict in 2007,⁸¹² thus recognizing the historical land issue and internationalized Western activities to undermine the sovereignty of Zimbabwe, and influence the course of its political trajectory to be compounding the Zimbabwe conflict.

The structure of the process of the SADC mediation took the form of shuttle diplomacy, as the facilitators of the mediation process engaged with negotiating teams representing the three conflict protagonists in Zimbabwe. The venues of the negotiations were a key strategic factor in the interest of insulating the delicate negotiations from prying, potential derailing unwarranted scrutiny by external players. As reflected in the MOU for the 2008 negotiations, venues were designated by the facilitators in consultation with the conflict protagonists. The 2007 negotiations were secretly held at lake Kariba, while the 2008-2013, were held in venues in South Africa and Zimbabwe. The first serious negotiations took place in South Africa, behind closed doors, however, after the conflict parties agreed on the GPA, much of the negotiations around its implementation and process issues took place in Zimbabwe.

The teams of mediators, facilitators were a critical factor in terms of the confidence in the process, the discussions around keys issues and whether they represented resonant positions within their political formations. Both the teams of facilitators and representatives from the conflict protagonists were political heavy weights representing not only national issues, but also key power brokers and views within their political formations, given tough internal jostling around factional power brokers within the three political parties.

The Mbeki mediation was supported by his team of facilitators and confidantes, Frank Chikane, Sydney Mufamadi, Mojanku Gumbi, loyalists who shared Mbeki's worldview, vision and ideas about mediation in Africa and Zimbabwe,⁸¹³ and extensively experienced in the business of

⁸¹² Communiqué of SADC Extra-Ordinary Summit of Heads of State and Government, Dar es Salaam, Tanzania, March 28-29, 2007, <https://www.sadc.int/files/7513/5292/8388/SADC>, Viewed 28 December 2020.

⁸¹³ Chikane F, 2012. Eight Days in September, The Removal of Thabo Mbeki, Johannesburg, Picador.



government and tackling conflicts around Africa. When President Zuma succeeded Mbeki as the SADC facilitator, he eventually drew his own team of facilitators who were aligned with his methodological tinkering with the process of mediation, which became more open and accessible, but without substantially shifting from the process laid under the Mbeki mediation.

The ZANU PF team was led by senior ZANU PF officials who were loyal to Mugabe, but acceptable to the powerful military and security power brokers within the party, Ministers Justice, Legal and Parliamentary Affairs, Patrick Chinamasa and the Minister of State Security, Nicholas Goche. Chinamasa, the former longest serving Attorney General under ZANU PF government, was known to be a ZANU PF hardliner. The MDCT's team was led by Tendai Biti and Elton Mangoma while the MDCM was led by Welshman Ncube and Moses Mzila. Ncube and Biti were heavily involved in the Mbeki-led negotiations under quiet-diplomacy before the split of the MDC. Biti, a lawyer and Secretary General of the MDCT, who rose to become the Minister of Finance under the Inclusive Government was known to be a reformist hard-liner too close to the Western international community for ZANU PFs comfort. However, his robust abrasive approach mellowed in the course of interparty negotiations allowing cross partisan concessions amongst the parties.

The facilitation team headed by Mbeki engaged with the representatives of political parties separately, and together as a collective. Although Zimbabwe had many political parties and players, the SADC mediators restricted the mediation process in 2007, and 2008-2013 only to parties represented in Parliament as reflected in both the Interparty (MOU),⁸¹⁴ and later, the Global Political Agreement (GPA).⁸¹⁵ While this reduced the level of representation, and many NGOs called for the expansion of the participating parties, Parliament remained the sole national representative institution for all Zimbabweans.

Secondly, by virtue of the nature of polarized ethnic and racial polarization, Zimbabweans, including civic formations were naturally divided into, and identified with the three main political parties, their major issues of concern and interests, and their leaders, hence this offered the most relatively manageable format of representation for the negotiations. Large enough to be

⁸¹⁴ ZLHR, 2008. Kariba Draft Unacceptable in Terms of Process and Content, Zimbabwe Lawyers for Human Rights (ZLHR), Kubatana.net, July 3 2009, http://www.archive.kubatana.net/html/archive/hr/090703zlhtr.asp?sector=HR&year=2009&range_start=211, Viewed 4 November 2022.

⁸¹⁵ Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) Formations, https://constitutionnet.org/sites/default/files/global_political_agreements_2008.pdf, Viewed 20 October 2022.



legitimately representative, but small enough to reduce chances of potential unintended derailment, through unexpected new differences or unforeseen external machinations. As an advantage to such a structure, the three parties and their representatives had been negotiating together for the longest time, since the early 2000s, to be familiar with the different individual and political-institutional temperament, political postures and personalities of each other across the political divide and how to manage their colleagues.

The conflict parties also made submissions and representations of their positions to the facilitation team, in consultation with their principals. The facilitators of the SADC mediation reported to the Extraordinary SADC Organ Troika Summit and the SADC Summits of the Heads of State. Throughout the year 2007, and between the years 2008 and 2013, the Zimbabwe conflict became the single most dominant issue on the agendas of the Extraordinary SADC Organ Troika Summit and the SADC Summits of the Heads of State. These institutions, with the help of the facilitators, nursed the negotiations into an unexpected political settlement in 2008, and its implementation until 2013, when new elections were held to exit the Inclusive Government.

The SADC Troika system and the Summit of Heads of States was the prime location of regional diplomacy. The SADC Troika system vested authority in the SADC Chairperson, incoming (Deputy) Chairperson and the Outgoing Chairperson of SADC, authorized to deal with, and take quick decisions on behalf of SADC that would ordinarily be taken at policy meetings scheduled at regular intervals.⁸¹⁶ The Chairperson also had the power to provide policy direction to SADC institutions in between regular SADC Summits.⁸¹⁷ The SADC Troika system also managed the SADC Organ on Politics, Defence and Security which is responsible for promoting peace and security in the SADC Region, playing the role of steering and providing Member States with direction regarding matters that threaten peace, security and stability in the Region.⁸¹⁸ The Zimbabwe conflict became a regular subject of all these meetings as the regional resorted to consensus in locking the parties into the SADC settlement until 2013.

⁸¹⁶ Saurombe, A. 2012. The role of SADC Institutions in Implementing SADC Treaty Provisions Dealing with Regional Integration. Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, 15(2), pp. 454-485.

⁸¹⁷ Saurombe, A. 2012. The role of SADC Institutions in Implementing SADC Treaty Provisions Dealing with Regional Integration. Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad, 15(2), pp. 454-485.

⁸¹⁸ Van Aardt, M. 1996. The SADC Organ for Politics, Defence and Security: Challenges for Regional Community Building. South African Journal of International Affairs, 4(2), pp. 144-164.



The SADC Troika is a powerful institution and the theatre of SADC regional diplomacy between the Summits of the Heads of State and Governments. The Troika was coordinated at the level of the Summit, consisting of annual rotational Chairperson, incoming Chairperson and outgoing Chairperson, and reporting to the SADC Summit Chairperson.⁸¹⁹ To demonstrate its influence, the Troika system operates at the level of the Summit, the Organ on Politics, Defence and Security Cooperation, the Council of Ministers and the Standing Committee of Senior Officials, and has in the past few years been by far the busiest institution in the SADC system.⁸²⁰ All SADC Chairpersons were seized with the Zimbabwe conflict until its termination in 2013 as the urgent part of their agendas.

The SADC Summit of Heads of State, which meets once or twice a year, is the overall policy making board of the regional organization and its decisions are binding.⁸²¹ Although SADC critics suggest that decision making by consensus has weakened the organization, it has also enabled SADC cohesion, committing them to its decisions once they are made and adopted.⁸²² The SADC institutions emerged out of concerted efforts to create viable collaborative security arrangements and have enabled vibrant discussions at the summit level.⁸²³ As polarizing as the Zimbabwe conflict was, SADC managed to reach consensus on the need for regional mediation to end the conflict in both 2007, and 2008 to 2013. Once the leaders agreed to mediation with the support of the AU, the SADC mediation became the only game in exiting the Zimbabwe as the Parties to the conflict were locked into a dialogue and regionally mediated solution through SADC agreements, and their own commitment to the agreement as reflected in both the Interparty MOU, and the GPA agreements which became interim constitutions of Zimbabwe during the tenure of the Inclusive Government, until a new constitution was written and adopted in 2013.

⁸¹⁹ Van Aardt, M. 1996. The SADC Organ for Politics, Defence and Security: Challenges for Regional Community Building. *South African Journal of International Affairs*, 4(2), pp. 144-164.

⁸²⁰ Saurombe, A. 2012. The role of SADC Institutions in Implementing SADC Treaty Provisions Dealing with Regional Integration. *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*, 15(2), pp. 454-485.

⁸²¹ Van Aardt, M. 1996. The SADC Organ for Politics, Defence and Security: Challenges for Regional Community Building. *South African Journal of International Affairs*, 4(2), pp. 144-164.

⁸²² Saurombe, A. 2012. The role of SADC Institutions in Implementing SADC Treaty Provisions Dealing with Regional Integration. *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*, 15(2), pp. 454-485.

⁸²³ Ngoma, N. 2003. SADC: Towards a Security Community? *African Security Studies*, 12(3), pp. 17-28.



5.2.1 The Kariba Interparty Negotiations, 2007-2008

The Kariba negotiations as directed from the 2007 Summit took place during the most fluid intraparty dynamics within ZANU PF and the MDC formations, and escalating political rivalry between ZANU PF and the broader opposition formations, as discussed in Chapter 4.

The SADC decision of 12 April 2007 to mandate Mbeki to facilitate regional negotiations in Zimbabwe culminated in the secret Kariba constitutional negotiations, under a tripartite six-member team representing the two MDC parties and ZANU PF. As stated in the Interparty Political Agreement signed on 8 September 2008, the Kariba negotiations involved the three main political parties represented in Parliament, thus making the process a parliamentary process, in spite of its secrecy.⁸²⁴

For the first time since the rejection of the government sponsored constitution draft by civil society formations in 2000, the conflict protagonists engaged in constitutional negotiations. The Kariba negotiations sought to address the Zimbabwe crisis through constitutional engineering in a manner which could have allowed the negotiating parties to agree on a new constitution as the basis for new elections, typical of elite driven democratization pacts.⁸²⁵ Although the overarching aim of the of the SADC mediation was political accommodation,⁸²⁶ the main objectives was to create conditions for free and fair elections in 2008, with a view for the talks to realise elections whose outcome would not be contested or disputed.

The negotiations marked the first direct face to face talks amongst representatives of ZANU PF, the MDCT and MDCM. According to Tendai Biti, the negotiating parties and the facilitators met 20 times in seven months in efforts to find a negotiated agreement to end the Zimbabwe conflict.⁸²⁷ The facilitators of the mediation process shuttled between South Africa and Zimbabwe for five months, first separately meeting with the different political parties, before directly working with the negotiating parties as a collective until they agreed on a the secret Kariba constitution negotiations approach, culminating in the Kariba secret negotiations, which

⁸²⁴ ZLHR, 2008. Kariba Draft Unacceptable in Terms of Process and Content, Zimbabwe Lawyers for Human Rights (ZLHR), Kubatana.net, July 3 2009, http://www.archive.kubatana.net/html/archive/hr/090703zlh.asp?sector=HR&year=2009&range_start=211, Viewed 4 November 2022.

⁸²⁵ Herbst, J. 1997. Prospects for elite-driven democracy in South Africa. *Political Science Quarterly*, 112(4), pp. 595-615.

⁸²⁶ SADC Mediation Effort has Little Impact, 13 September 2007, Zimbabwe Crisis Reports, <https://www.refworld.org/pdfid/49671d910.pdf>, Viewed 10 February 2020.

⁸²⁷ IPS, Politics-Zimbabwe: Mbeki Attempting to Jumpstart Talks, <http://www.ipsnews.net/>, Viewed 13 January 2020.



produced the Kariba constitution draft.⁸²⁸ The negotiations were named after the secret venue where the negotiating teams held their meetings with the SADC facilitators. The subsequent five months of secret talks at lake Kariba, produced the Kariba constitution draft constitution,⁸²⁹ which sought to address the opposing conflict issues through constitutional engineering by the key party elites as the basis for a new national pact to foster peace and democracy, typical of elite constitutional pacts.⁸³⁰

Elite pacts and negotiated constitutional engineering are crucial in facilitating minimal democratic pacts as exit paths from conflict.⁸³¹ The Kariba negotiations marked the first serious negotiations amongst ZANU PF and elites from the MDC formations to chart a minimal democratic path out of the Zimbabwe conflict. Although the parties produced and agreed to a constitutional draft, it was not formally adopted as a new constitution. However, to the extent that the demand for new constitution was the major driver of political rivalry in Zimbabwe, the SADC mediated Kariba negotiations moved Zimbabwe closer to a new constitution. While the draft constitution may have not been adopted, it became a foundational reference document for future political compromise between the MDC parties and ZANU PF.

In charting the negotiated path out of the polarized conflict, the SADC mediated Kariba negotiations shifted political contestation from violent rivalry to dialogue, and captured the imagination, expectations and hopes of Zimbabweans as the primary means through which violence could be terminated, stability restored and democracy built. Arguably, since 2007, Zimbabweans and even political leaders and civil society talked more about SADC intervention as the most viable avenue out of the Zimbabwe conflict.

Amidst the intensity of partisan political polarization in 2007, the conflict parties submitted deeply polarised issues. ZANU PF positions centred on land reform, Western regime change, intervention into the domestic affairs of Zimbabwe and illegal sanctions which derailed the economy. The MDC parties demanded a new constitution before any new elections, the repeal of draconian laws such as POSA (Public Order and Security Act), AIPPA (Access to Information and Protection of Privacy Act), the Broadcasting Act which impinged on free media

⁸²⁸ Pambazuka News, Zimbabwe: MDC, ZANU-PF in secret talks, <https://www.pambazuka.org/human-security>, Viewed 21 January 2020.

⁸²⁹ Cross, E.2012. Opinion, All Transitions Require Difficult Compromises, Politicsweb, <https://www.politicsweb.co.za/>, Viewed 30 December 2019, Viewed 12 January 2020.

⁸³⁰ Burton, M. G., and Higley, J. 1987. Elite Settlements, American Sociological Review, pp. 295-307.

⁸³¹ Herbst, J. 1997. Prospects for elite-driven democracy in South Africa. Political Science Quarterly, 112(4), pp. 595-615.



practice, access and sharing of information.⁸³² The MDC also demanded the reconstitution of the Zimbabwe Electoral Commission (ZEC), repeal of electoral laws and administration of elections to make them more transparent and professional.⁸³³ They further demanded open and unfettered access for the international community to operate unimpeded in monitoring of elections in Zimbabwe.

Civil society formations criticized the process of the Kariba draft, but generally rejected the draft because it reflected much of ZANU PF positions.⁸³⁴ They suggested that although the MDC parties tabled demands around the improvement of elections conditions and an end to political violence, there was no evidence that ZANU PF had changed. They averred that ZANU PF sought to use the Kariba draft to insulate the FTLR, and amplify calls for the removal of sanctions and its Western orchestrated isolation which threatened to cause what they saw as externally driven regime change, without making any serious concessions.⁸³⁵ The land reform was the most challenging domestic and international historical problem faced in Zimbabwe.

The Kariba draft became a reference for the key electoral reforms which were later introduced towards the 2008 elections as Constitutional Amendment No. 18.⁸³⁶ The amendments reformed controversial laws governing human freedoms, media freedom and administration of elections, for the first time resolving some of the most divisive electoral and political issues in Zimbabwe.⁸³⁷

The realisation of formal face to face talks and formal negotiations between ZANU PF and the MDC parties was a major milestone considering the deep violent political, racial and ethnic polarization pervading the country. Secondly, once the parties were locked into such negotiations, SADC was able to push for comparatively improved electoral conditions and administration in Zimbabwe. These concessions ensured relatively peaceful electoral conditions in the first round of the 2008 elections, although they were not enough to guarantee undisputed electoral outcomes.

⁸³² Talks Hang by Thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020.

⁸³³ Talks Hang by Thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020.

⁸³⁴ Masiya, T. 2014. Zimbabwe in need of a People-driven Constitution: A Civil Society Perspective, in T. Masiya and C. Mutasa (Eds.) *Civil Society and Constitutional Reforms in Africa*, Harare, Mwengo

⁸³⁵ Masaka, D. (2012). Paradoxes in the 'Sanctions Discourse' in Zimbabwe: A Critical Reflection. *African Study Monographs*, 33(1), 49-71.

⁸³⁶ Cross, E. 2012. Opinion, All Transitions Require Difficult Compromises, *Politicsweb*, <https://www.politicsweb.co.za/>, Viewed 30 December 2019, Viewed 12 January 2020.

⁸³⁷ Constitution of Zimbabwe as Amended by Amendment (No. 18) Act, 2007, <http://www.veritaszim.net/node/96>, Viewed 18 January 2020.

Although the MDC parties were not satisfied with the lack of progress, and the short comings of the talks in terms of what they delivered, Mugabe suggested that the process of the dialogue represented the "dawn of a new era" in relations between ZANU PF and its opponents⁸³⁸. He further stated that, "The ongoing talks between ZANU PF and the MDC factions ushered the dawn of a new era of constructive engagement across the political divide, narrowing differences, leading to the establishment of broad consensus."⁸³⁹ According to Chinamasa the talks had demonstrated "unity of purpose", across the political divide.⁸⁴⁰ However any gains achieved through the 2007 negotiations were totally reversed when Zimbabwe was plunged into the 2008 violent elections,⁸⁴¹ after Mugabe unilaterally called for the harmonized elections in March 2008, while he would stand representing his party, ZANU PF.

5.2.2 The Collapse of the Kariba Negotiations, 2007-2008

The SADC-led Kariba secret negotiations collapsed because Mugabe suddenly unilaterally called for the 2008 elections without consulting the SADC facilitators or the other parties in the negotiations. The opposition MDC parties preferred elections to be postponed to a much later date to allow for a definitive conclusion to the ongoing talks and negotiations, including the adoption and implementation of the Kariba new constitution. There were suggestions that ZANU PF had indicated it would be inclined to allow elections to be held in 2010, rather than the earlier mooted 2008. When Mugabe called for elections in 2008, he short-circuited the process of the Kariba negotiations. The MDC formations complained that ZANU PF had reneged on agreements to implement a new constitution and make legislative reforms before elections were held. The South African government indicated that the Kariba talks had concluded positively despite some setbacks.

There are many critics of the 2007 SADC mediation and the Kariba negotiations. Critics of the 2007 SADC mediation suggest that Zimbabwe had continued to slide into chaos, without making any progressive reforms in spite of taking more than half a year on direct interparty. They further suggest that the 2007 mediation had failed to quickly secure a political settlement,

⁸³⁸ Talks hang by thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020

⁸³⁹ Talks hang by thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020.

⁸⁴⁰ Talks hang by thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020.

⁸⁴¹ Masungure, E.V.(Ed.) 2009. Defying the Winds of Change: Zimbabwe 2008 Elections, Harare, Weaver Press.



achieving very little, as Mbeki had failed to be tough with Mugabe. NGOs in Zimbabwe criticised the secretive elite-centric process as flawed, unrepresentative of the diversity of Zimbabweans who had clearly demanded a people-driven constitution, and said the Kariba draft was deeply flawed in terms of content and process.⁸⁴² The MDCT later rejected the Kariba draft constitution document, dismissing it as sole reference material for the country's new supreme law during the COPAC consultations.⁸⁴³ ZANU PF had suggested that the new constitution written under the tenure of the Inclusive Government must be anchored on the Kariba Draft.

However, the Kariba negotiations provided a strong basis for continued negotiations after the 2008 violently disputed runoff elections. In spite of the differences on the technicalities of how and the extent to which the Kariba Draft Constitution would be used during the constitution making process, all the three parties were agreed that it would be used as a reference for the new constitution making process.⁸⁴⁴ The negotiators of the Global Political Agreement (GPA), revealed that the six member group representing all three parties in the coalition produced a constitution draft and agreed to use the controversial Kariba Draft as a point of reference for a new constitution.

Although the Kariba negotiations did not yield a final political settlement, Mbeki used the tripartite negotiating platform to strike consensus on Constitution Amendment No. 18,⁸⁴⁵ and the Electoral Amendment Act gazetted⁸⁴⁶ on November 16 2007 which bared state security agents from involvement in the running of elections in a bid to curtail electoral fraud and protect the integrity of elections in 2008,⁸⁴⁷ and extensively improved conditions and the administration of elections. Between April 2007 and December 2008, the SADC mediation realised important reforms focussing on the need to facilitate the holding of free and fair elections, whose outcome would not be disputed by any of the participating parties.⁸⁴⁸ Although the Constitutional

⁸⁴² National Constitutional Assembly, 2009. The Shortcomings of the Kariba Draft Constitution. Harare: NCA.

⁸⁴³ Africa Growth Institute, Zimbabwe: PM, Mugabe Clash, https://www.africagrowth.com/news_article61.htm, Viewed 3 November 2022.

⁸⁴⁴ Presidential Powers in the "Kariba Draft Constitution", Veritas Constitution Watch 4/2009, <http://www.veritaszim.net/node/>, Viewed 10 January 2020.

⁸⁴⁵ Constitution of Zimbabwe Amendment No 18 Act, 2007, <https://aceproject.org/ero-en/regions/africa/ZW/Constitution%20of%20Zimbabwe%20Amendment%20No%2018%20Act%2C%202007>, Viewed 5 October 2022

⁸⁴⁶ Zimbabwe, Electoral Amendment Act, 2007, <https://www.ilo.org/dyn/natlex/docs>, Viewed 5 October 2022.

⁸⁴⁷ Talks hang by thread, 6 December 2007, Kubatana.net, <http://archive.kubatana.net/html/archive>, Viewed 10 February 2020.

⁸⁴⁸ Pahad, A, Briefing Notes on Current International Issues, 4 April 2007, <https://www.gov.za/>, Viewed 10 February 2020.



Amendment No. 18 and the Electoral Amendment Act were passed and enacted into law, there was however limited time for their full implementation, translation and socialization into democratic practices, hence their potential full impact was constrained.

In 2008, Zimbabwe held harmonized elections which were won by the MDCT and its leader Morgan Tsvangirai, who marginal fell short of winning an outright majority, leading to the violent run-off election which triggered continued regional diplomacy in 2008 to 2013. Fundamentally, the MDCT won in the first round of the 2008 elections, and was able to claim victory partly because of the impact of the resultant concessions from the 2007 SADC mediation and interparty negotiations, which improved the electoral process and conditions going into the 2008 elections.

5.2.3 Towards the GPA Political Settlement in Zimbabwe

The (GPA) was signed on the 15th of September 2008 by the MDC formations and ZANU PF to end the 2008-2009 election deadlock, and facilitate a medium to long term exit from the Zimbabwe crisis based on a democratic transition roadmap premised on dialogue, political accommodation and power sharing.⁸⁴⁹ While the broader aim was to foster political stability and democratic transition, the focus of the mediators and the negotiators was to end the 2008 partisan violent political deadlock emanating from the 2008 elections dispute, extensive state perpetrated violations of human rights and rule of law, which had the potential to plunge Zimbabwe into a civil war. The signing of the GPA was therefore a remarkable fit for the SADC mediation, a seminal comprehensive political settlement, which provided a short to medium term framework for return to political stability through provisions for political accommodation and power sharing.

As discussed in chapter 4, the violent disputes over the outcome of the 2008 elections, and the subsequent disputed run-off plunged Zimbabwe into a violent constitutional crisis which led to another push for a political dialogue by SADC in 2008. The subsequent 2008-2013 SADC mediation resulted in the signing of the Global Political Agreement (GPA) committing the three parties in Parliament to negotiations for a political settlement, and later a Government of National Unity, also called the Inclusive Government.⁸⁵⁰ Although the 2008 elections,

⁸⁴⁹ The GPA, Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe, <https://acjr.org.za/resource-centre/gpa.pdf>, Viewed 20 October 2021.

⁸⁵⁰ Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) Formations,



especially the first round was largely peaceful, a tide of state perpetrated violence swept the whole country as it emerged that ZANU PF had lost the first round of elections. Based on the eventually announced official results the MDCT 24, and 100, ZANU PF won 30 and 99, the MDC captured 6 and 10 Senate and House of Assembly seats respectively.⁸⁵¹ The MDC formations won a combined 110 House of Assembly seats to allow the opposition to control the lower House for the first time in the history of Zimbabwe.

After the recount and the verification of the results, the Zimbabwe Electoral Commission (ZEC) announced a month after voting that Tsvangirai won 47.9% of the vote and Mugabe 43.2%, necessitating the controversial violent run-off election which was to be held on 27 June 2008.⁸⁵² The disputes over the election results, and the extreme violence associated with the run-off elections plunged Zimbabwe into unprecedented escalated conflict, which forced the MDCT leader not only to withdraw from the run-off election, but to flee to Botswana.⁸⁵³

Amidst violent uncertainty in Zimbabwe, and a barrage of Western condemnation of the ZANU PF government, African leaders and SADC raised concerns about the situation in Zimbabwe, while embarking on engagement behind the scenes. On 12 April 2008 SADC held an emergence meeting called by President Mwanawasa to discuss the election deadlock and called the authorities to officially release the results of the harmonized elections.⁸⁵⁴ The leaders of the MDCT and MDCM were for the first time formally invited to the meeting of the SADC to make their representations, while President Mugabe was represented by his Ministers.⁸⁵⁵ Mbeki met with Mugabe in Harare enroute to the SADC Summit in Lusaka, then suggested that the Zimbabwe Election Commission and the court challenge lodged by the MDCT needed to be allowed time in terms of due process.⁸⁵⁶

https://constitutionnet.org/sites/default/files/global_political_agreements_2008.pdf, Viewed 12 May 2022.

⁸⁵¹ EISA, Zimbabwe: 2008 Presidential Election Results - First Round, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zim2008results5.htm>, Viewed on 10 October 2022.

⁸⁵² EISA, Zimbabwe: 2008 Presidential Election Results - First Round, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zim2008results5.htm>, Viewed on 10 October 2022

⁸⁵³ AllAfrica.com, Zimbabwe: Opposition Leader Flees to Botswana As Crisis Rages, 15 APRIL 2008, <https://allafrica.com/stories/200804141860.html>, Viewed 1 November 2022.

⁸⁵⁴ Aljazeera, Zimbabwe Focus of Regional Summit South African President Dismisses Talk of a Crisis after Meeting Robert Mugabe, 12 April 2008, Viewed 20 June 2022.

⁸⁵⁵ Aljazeera, Zimbabwe Focus of Regional Summit South African President Dismisses Talk of a Crisis after Meeting Robert Mugabe, <https://www.aljazeera.com/news/2008/4/12/zimbabwe-focus-of-regional-summit>, 12 April 2008, Viewed 20 June 2022.

⁸⁵⁶ Aljazeera, Zimbabwe Focus of Regional Summit South African President Dismisses Talk of a Crisis after Meeting Robert Mugabe, <https://www.aljazeera.com/news/2008/4/12/zimbabwe-focus-of-regional-summit>, 12 April 2008, Viewed 20 June 2022.



African leaders attending the 11th Ordinary Session of the AU held from 30 June to 1 July 2008 in Sharm El-Sheikh in Egypt, called for dialogue and negotiations paving the way for a government of national unity between Mugabe and Tsvangirai in order to promote peace, stability, democracy and reconciliation of the Zimbabwean people.⁸⁵⁷ Fundamentally, the AU expressed deep concern with negative reports from the SADC, the African Union and the Pan-African Parliament election observers of the Presidential run-off election held on 27 June 2008, the violence and loss of life that pervaded the elections,⁸⁵⁸ considered urgent need to prevent further worsening escalation of the conflict, the consequential negative impact on the country and the sub-region, while calling the parties to create an environment conducive for democracy and development.⁸⁵⁹

The AU committed itself to supporting the SADC facilitation, recommending the continuation of the SADC mediation efforts in order to assist the people and leadership of Zimbabwe to resolve the problems they are facing, proposing that the SADC should establish mechanisms to engender a negotiated solution to the Zimbabwe conflict and urging the conflict parties to refrain from actions that could disrupt the spirit and the climate of dialogue.⁸⁶⁰

In March 2008, the SADC Summit re-appointed Mbeki to lead negotiations between ZANU PF and the MDC formations. On assuming his role Mbeki suggested that Western calls to exert more pressure on Mugabe, and any preconditions would derail prospects for a political settlement.⁸⁶¹ The process of mediation replicated the 2007 structure, continuing as interparty dialogue driven by the three major parties represented in Parliament, while overlooking the disputed controversial run-off elections.

Amidst the chaos in Zimbabwe, Mbeki met Mugabe in Harare to persuade him to call off the run-off election, but Mugabe insisted such a position would be violating the laws and constitution of Zimbabwe. ZANU PF sought to strengthen its position in any envisaged negotiations by winning the run-off, while bludgeoning the MDCT into submission. Claiming outright victory in the run-off election allowed Mugabe to negotiate as sitting President of the

⁸⁵⁷ Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁵⁸ Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁵⁹ Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁶⁰ Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁶¹ Reuters, Mbeki Confident Mediation Can Help Zimbabwe Crisis, 31 March 2008, <https://www.reuters.com/article/us-zimbabwe-mbeki-idUSL3166458520070331>, Viewed 10 June 2022.



country, enjoying a modicum of incumbents, although he was widely viewed as an illegitimate leader including by African peers.⁸⁶²

The formal negotiations started from 10 July to 22 July, when representatives of the three main political parties met with the facilitators of the SADC mediation to agree on commitment to a negotiated framework for power sharing government. On 21 July 2008, the mediators managed to press the conflict parties to sign an MOU committing them to dialogue, outlining the critical issues of contention, allowing for the commencement of negotiations proper on 25 July 2008 in Pretoria, South Africa.⁸⁶³ Mugabe and Tsvangirai met for the first time during the negotiations to agree on key issues into the MOU, following two decades of violent political rivalry. Although all the three main leaders made serious public commitments to the negotiated framework, and desire to turn a new phase in Zimbabwean politics, the period post the signing the MOU was followed by intense power sharing negotiations, defining the structures of the new dispensation, the new executive and subsidiary government structures and defining the agenda of the new government as stipulated in the GPA.⁸⁶⁴

The MOU was a broad list of issues which however reflected the vast conflict areas ranging from sanctions and land reform on the side of ZANU PF, and most issues of democracy, governance and civil liberties on the side of the MDC factions. The MDC parties emphasised the need for a new constitution, respect for human rights and civil liberties, freedoms of expression and the media.⁸⁶⁵ ZANU PF mainly demanded the end to Western sanctions as well as recognition and non-reversal of the land reform.⁸⁶⁶ The MOU set a framework and the agenda of the negotiations, a range of objectives and priorities reflecting the key interests of the parties such as restoration of economic stability and growth, sanctions, the land question, the constitution, amongst others.⁸⁶⁷ The MOU also stipulated that Parties shall not, during the

⁸⁶² Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁶³ EISA, Zimbabwe: 2008 Peace Negotiations, African Democracy Encyclopaedia Project, <https://www.eisa.org/wep/zim2008postg.htm>, Viewed 2 July 2022.

⁸⁶⁴ The GPA, Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe, <https://acjr.org.za/resource-centre/gpa.pdf>, Viewed 20 October 2021

⁸⁶⁵ Kubatana.net, Memorandum of Understanding Between ZANU PF and the two MDC formations, http://archive.kubatana.net/html/archive/demgg/080721mou.asp?sector=&year=0&range_start=1, Viewed 2 October 2022.

⁸⁶⁶ Kubatana.net, Memorandum of Understanding Between ZANU PF and the two MDC formations, http://archive.kubatana.net/html/archive/demgg/080721mou.asp?sector=&year=0&range_start=1, Viewed 2 October 2022.

⁸⁶⁷ Kubatana.net, Memorandum of Understanding Between ZANU PF and the two MDC formations, http://archive.kubatana.net/html/archive/demgg/080721mou.asp?sector=&year=0&range_start=1, Viewed 2 October 2022.



subsistence of the interparty dialogue, take any decisions or measures that have a bearing on the agenda of the dialogue, save by consensus. Such decisions or measures include, but are not limited to the convening of Parliament or the formation of a new government.⁸⁶⁸ This commitment insulated the SADC mediation from any unilateral derailment by any of the parties.

The negotiating Parties also agreed to open Parliament for the first time since the elections on August 25 2008, with Lovemore Moyo of the MDCT as the first opposition Speaker of Parliament in independent Zimbabwe.⁸⁶⁹ The election of the Speaker of Parliament was characterized by serious jostling and horse-trading which ended with the MDCT winning the Speakers position, while the MDCM won the Deputy Speaker, rendering a House of Assembly totally controlled by the opposition. The positions of the Speaker of Parliament were crucial in terms of controlling the national legislative agenda, determining which issues, and bills, and when were such issues debated and eventually passed into law.

The conflict parties agreed a deal for a political settlement on 11 September 2008, based on a comprehensive, multi-issue settlement, replete with structures for an inclusive government, power-sharing mechanisms, its objectives and programmes to be implemented under a 5-year term of office. The GPA, which was signed on 15 September 2008, marked a remarkable transformation in Zimbabwean politics by bringing the former political rivals to work together in the Inclusive Government. While Mugabe retained a transformed Presidency, Tsvangirai became the Prime Minister, and Mutambara, took the position of one of the Deputy Prime Ministers.⁸⁷⁰

5.3 Power Sharing, Political Accommodation and Democratic Transition in Zimbabwe: The Political Impact of the Inclusive Government 2009-2013

The immediate effect of Zimbabwe's Inclusive Government was to bring ZANU PF and the MDC formations to cooperatively work together, halt the intractable, protracted political

⁸⁶⁸ Kubatana.net, Memorandum of Understanding Between ZANU PF and the two MDC formations, http://archive.kubatana.net/html/archive/demgg/080721mou.asp?sector=&year=0&range_start=1, Viewed 2 October 2022.

⁸⁶⁹ Resolution on Zimbabwe, The African Union Assembly, Sharm El-Sheikh, Egypt, 1 July 2008, <https://www.peaceau.org/uploads/assembly-au-res-1-xi-e.pdf>, Viewed 13 July 2022.

⁸⁷⁰ The GPA, Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe, <https://acjr.org.za/resource-centre/gpa.pdf>, Viewed 20 October 2021.



instability and ultimately promote conditions for democratic reform.⁸⁷¹ There is no doubt that the Inclusive Government emerged out of acrimonious political polarised violent relations between ZANU PF and the MDC formations which made a complicated construct, often founded on tenuous relations and foundation, like any other government of national unity. The parties in the Inclusive Government lacked trust, had irreconcilable ideological differences which continued to pervade relations within government, and were mired in permanent political competition, a situation which was aggravated by the focus on the penultimate impending elections to end the tenure of the GNU. ZANU (PF) and the MDC have thoroughly differed ideological backgrounds. ZANU (PF) is a liberation movement that cut its teeth primarily in the struggle for the decolonization of the country. The MDC formations, on the other hand, are post-liberation movements that have come into existence principally as a result of the liberation movement's failures and weaknesses. Accordingly, the parties found it difficult to find, agree and share common ground, vision and a common plan, as well as how to execution plan. The parties faced major policy and political differences on issues related to property rights, agriculture finance, reform of state enterprises, the indigenization policy, the size of the public service, the method of debt relief and international engagement to deal with sanctions. That the Inclusive Government was born out of disputed and violent elections further soured internal government relations. Leaders of the MDC formations and their supporters had been the targets of sustained attacks from the ZANU (PF)-controlled state since the party's formation in 1999, experiencing assaults, torture, imprisonment, kidnapping, while many lost their lives in the face of gross human rights and property rights violations invoked resentment between the parties. Given this context, the Inclusive Government had to content with political fights, cheap point scoring, decisions weighed through the lens of partisan political advantage, rather than socio- economic logic. However, the three parties had to govern together in an institution whose success or failure would determine their political future, hence delivering on their commitments called for thinking, dexterity and manoeuvring in fostering dialogue, negotiations, building confidence to realise necessary needed compromises.⁸⁷²

In spite of such contradictions, there is consensus in much of the literature that the Inclusive Government was the best and most democratic government that Zimbabwe had since independence in 1980.⁸⁷³ Although internal contradictions within government persisted, for the

⁸⁷¹ Mutisi, M. 2011. Beyond the signature: Appraisal of the Zimbabwe Global Political Agreement (GPA) and Implications for Intervention, Accord Policy Brief and Practice, Issue 004, policy_practice41.pdf (africaportal.org) Viewed 30 September 2021.

⁸⁷² Biti, T. 2014. Rebuilding Zimbabwe: Lessons from Coalition Government, Centre for Global Development.

⁸⁷³ Gono, G. 2008. Zimbabwe's Casino Economy: Extraordinary Measures for Extraordinary Challenges, Harare, ZPH.



first time since 2000. The three parties worked together in government, and the MDCT controlled the Lower House of Parliament, while ZANU PF controlled the upper house. In terms of its performance the Inclusive Government had an immediate impact on the economic turnaround, phased out the totally valueless Zimbabwe dollar, which was hammered by hyperinflation in 2008, eroding its totally value and achieved remarkable economic recovery, returning Zimbabwe to quicker economic stability and growth.⁸⁷⁴ The GNU took Zimbabwe out of hyperinflation, period of negative gross domestic product (GDP) growth rates, and massive devaluation of the currency. In line with Article 31(a) of the GPA, the Inclusive Government prioritised the restoration of economic stability and growth in Zimbabwe. The government transformed the economy within a short five years by adopting two Short-term Emergency Recovery Programmes: STERP 1 and STERP2. from 2009 to 2012, triggering sustainable economic rebound and registering significant economic growth averaging 10.5% per annum until 2013.⁸⁷⁵ However, the Executive structure of the Inclusive Government expanded the Cabinet to 41 ministers, from the previous 31 ministers,⁸⁷⁶ thus prompting rising expenditure on salaries and related packages.

The Inclusive Government restored political stability, as political parties resorted to political instead of violent means to address issues, arresting the spiralling descend into chaos which was triggered from polarised partisan violence since 2000, and altered the enemy images among the political parties, ZANU–PF and the two MDC formations which fuelled deeper conflict.⁸⁷⁶ The institutionalisation of the national infrastructure for peacebuilding such as the National Healing, Reconciliation and Integration (ONHRI) and the Joint Monitoring and Implementation Committee (JOMIC) provided the building blocks for an ephemeral peace in the country. The work of the ONHRI and the JOMIC in the various communities influenced the elimination of the then-existing direct forms of violence, paving the way for political stability, and the institutionalisation of political and economic reforms.⁸⁷⁷

Furthermore, the GNU attempted to address the governance and democracy deficit by establishing independent and transparent commissions like the Zimbabwe Electoral

⁸⁷⁴ Biti, T. 2014. Rebuilding Zimbabwe: Lessons from Coalition Government, Centre for Global Development.

⁸⁷⁵ Nyarota, S., Kavila, W., Mupunga, N. and Ngundu, T. 2015. An Empirical Assessment of Binding Constraints to Zimbabwe's Growth Dynamics. RBZ Working Paper Series, 2.

⁸⁷⁶ Nhengu, D. and Murairwa, S. 2020. The Efficacy of Governments of National Unity in Zimbabwe and Lesotho, Conflict Trends 2020, 1, <https://www.accord.org.za/conflict-trends>, Viewed 21 September 2021.

⁸⁷⁷ Nhengu, D. and Murairwa, S. 2020. The Efficacy of Governments of National Unity in Zimbabwe and Lesotho, Conflict Trends 2020, 1, <https://www.accord.org.za/conflict-trends>, Viewed 21 September 2021.



Commission (ZEC), the Zimbabwe Media Commission (ZMC) and the Zimbabwe Human Rights Commission (ZHRC) whose membership is open to independent persons with expertise in the selected areas. Previously, members of commissions were handpicked by the President, but since the 2009, under the Inclusive Government, new commissioners were seconded by the three main parties in the GPA, and interviewed by a relevant Parliamentary committee. Instead of depoliticising the process of creating the new commissions, and appointment of commissioners, the Inclusive Government determined that balanced partisan representation entrenched debate, dialogue and compromises within these institutions, although the key officials were drawn from the most qualified individuals with impeccable reputations. Most of these commissions are fully constituted and operational albeit with fiscal and political challenges. In addition, the Zimbabwe GNU is expected engender other political reforms including review of the constitution.

The Inclusive Government also delivered on the constitution-making process, through the 2013 constitution. Furthermore, a raft of reforms was introduced which improved the international status of Zimbabwe as emerging from its crisis, opening channels for international multilateral dialogue with international partners, creating opportunities and conversations about the possible removal of Western sanctions.⁸⁷⁸ Political elites from all parties and bureaucrats forged enduring informal relations through improved contact and working together for the common good.⁸⁷⁹ Mugabe and Tsvangirai met every Tuesday in what was called a tea meeting for the principals, which was used to improve and warm political relations between the two most important politicians of the time, and this shifted relations and interactions between them to cordial and respectful. Contrary to the view that the GNUs in Zimbabwe negated democracy,⁸⁸⁰ unlike previous GNUs established at the discretion of ZANU PF elites, the 2009-2013 was constituted by strong parties accountable to their social bases or constituencies, which militated against co-optation, while fostering inclusive broad representation, participation and pressure for effective accountable government.

⁸⁷⁸ Chigora, P. and Guzura, T. 2011. The politics of the government of national unity (GNU) and power sharing in Zimbabwe: Challenges and prospects for democracy, *African Journal of History and Culture*, Vol.3(2), pp. 20-26.

⁸⁷⁹ Biti, T. 2014. *Rebuilding Zimbabwe: Lessons from Coalition Government*, Center for Global Development.

⁸⁸⁰ Chigora, P. and Guzura, T. 2011. The politics of the government of national unity (GNU) and power sharing in Zimbabwe: Challenges and prospects for democracy, *African Journal of History and Culture*, Vol.3(2), pp. 20-26.



5.4 Democratic Transition in Zimbabwe: The 2009-2013 Constitution-Making Process and Referendum

The constitution-making process was probably the most important achievement of the SADC mediation in Zimbabwe. Through the GPA, SADC sought to help the people of Zimbabwe to transition to a genuine multiparty constitutional democracy based on the principle of a people-driven democratic constitution as a permanent solution to the nation's protracted challenges of governance, often violent electoral political conflicts, disputed elections, perceived governmental illegitimacy, corruption, economic decay, unemployment, and social disintegration which resulted in Western isolation and sanctions. The realisation of a new constitution in 2013 acceptable to all political factions and endorsed by the international community, was a remarkable fit in fostering democracy in the country, and marked the high point for pan African SADC regional diplomacy in sponsoring home-grown solutions to stem regional and continental conflicts. As much as the realisation of constitutional reforms aided the process of democratic transition, the challenge for Zimbabwe remains the integration of the new constitution into its governance system and practice, any issue which relates to democratic consolidation, a matter outside this research. Such constitutional integration could foster the rule of law, end any 'strongman' or autocratic oligarchy in Zimbabwe, turning the country into a genuine multiparty democracy by allowing constitutionalism to take root, ending arbitrary violation of the rule of law, human rights abuses, partisan violence, political instability, disputes over election processes and outcomes, as well as the suppression of democratic expression.⁸⁸¹

Liberal democratic constitution-making process focusses on deliberation, participation and the moderation of political power from both authoritarian misuse and abuse by either the political elites or highly mobilised majority political parties,⁸⁸² for example, the case of Zimbabwe under ZANU PF and Mugabe regime. The making of new constitution to exit authoritarian rule should engender democratic transition by establishing political systems committed to political pluralism, the rule of law and genuinely representative government,⁸⁸³ based on written constitutional rule(s) that limit the arbitrary exercise of political power in a manner that constrain

⁸⁸¹ Sims, B. M. 2013. Constitution-making and Conflict in Zimbabwe: A Real Chance for Peace?, *Africa Conflict Monthly Monitor*, Vol. 2013, No. 02, pp. 8-29.

⁸⁸² Landau, D. 2013. Constitution-Making Gone Wrong, 64 *Ala. L. Rev.* 923, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/bamalr64&div=39&id=&page=>, Viewed 21 September 2021.

⁸⁸³ Partlett, W. 2013. The Dangers of Popular Constitution-Making, 38 *Brook. J. Int'l L.* 193, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/bjil38&div=9&id=&page=>, Viewed 28 September 2021.



the power of government. In the context of highly polarised, violent political contestation that characterised the Zimbabwe crisis, the SADC mediated constitutional process locked the Inclusive Government parties into a process of constitution-making as stipulated in the GPA interparty agreement, which embraced citizen participation, a parliamentary driven process under COPAC and elite interparty negotiations through deference to the principals of the negotiating parties. While this approach was amenable to complex play of domestic political exactions on the constitution-making process, it ensured that the opposition MDC formations and to a lesser extent civil society played previously blocked or denied influential roles, ensuring that their voices are embraced in the 2013 constitution. Innovative constitutional dialogues involving participation, negotiation, and recognition of groups previously excluded from political decision-making may be the key to legitimate constitution-making and construction of democratic institutions.⁸⁸⁴

While constitutions define the rules of the political game, including change of government and alternation in office through peaceful transfer of political power, the main focus of such processes should be to moderate political power from authoritarian abuses (undemocratic rule) or breakdowns of order such as political instability.⁸⁸⁵ The 17 unilateral amendments to the Lancaster House constitution created a majoritarian political system with densely personalised concentration of executive political power in the Presidency, fostering a monstrous hegemonic personalised Presidential system nested at the centre of the Zimbabwe crisis. The SADC mediated GPA mandated the government of national unity (GNU) to write a people driven constitution in line with one of the major demands of citizens of Zimbabwe as demanded by the opposition and civil society, and later agreed to by ZANU PF to create a democratic dispensation and foster political stability.⁸⁸⁶

The GPA committed the Zimbabwean conflict parties to writing a new constitution based on societal deliberation and elite negotiations to transform the Zimbabwean political system into a more inclusive, accommodative political structures, institutions and practices with political rules which allowed for dispersed access and exercise of political power, while constraining its unilateral abuse.⁸⁸⁷ Thus the GPA constitution, passed by parliament in May 2013, was an

⁸⁸⁴ Wings, 2010. *Constructing Democracy in Africa: Mali in Transition*, New York, Palgrave Macmillan

⁸⁸⁵ Landau, D. 2013. Constitution-Making Gone Wrong, 64 Ala. L. Rev. 923, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/bamalr64&div=39&id=&page=>, Viewed 21 September 2021.

⁸⁸⁶ Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe, <https://acjr.org.za/resource-centre/gpa.pdf>, Viewed 29 December 2020.

⁸⁸⁷ Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two



important milestone in setting Zimbabwe on a peaceful democratic path, fostering previously elusive political stability, and fulfilling the mandate of the SADC mediation to find solution to the Zimbabwe crisis.

Although the ruling ZANU PF had succumbed to pressure for constitution reform by 1999, leading to the 1999-2000 ill-fated constitution-making process, the major concern for ZANU PF was to exclusively control, contain, and minimize the transformative process of change emanating from constitutional reform.⁸⁸⁸ In spite acceding to constitutional reform in 2000, the 2000 constitution-making process was initiated and led by the governments Constitutional Commission (CC) which was mandated to consult Zimbabweans and draft the constitution which was rejected at the referendum in 2000.⁸⁸⁹ ZANU PF went further to dominate the SADC mediated 2007 Kariba draft constitution through its hard line negotiators, Patrick Chinamasa and Nicholas Goche, who conceded very little concessions to the opposition MDC formations.⁸⁹⁰ Furthermore, during the 2013 constitution-making process, ZANU PF sought to impose the Kariba draft alongside the 2013 draft constitution by proposing that the Kariba draft be used as the document of reference during the 2009-2013 constitution-making process, while the MDC formations outrightly rejected it.⁸⁹¹ For its party, ZANU PF therefore sought to use the constitution-making process to retain and consolidate its hold on power, while seeking domestic and international legitimacy under the SADC mediation, turning the constitution-making process into a difficult, delicate uncertain endeavour risking totally collapse and reversion to the 2008 conflict.⁸⁹²

At the minimum, the MDC formations sought to use the constitution-making process and the new constitution to realign Zimbabwean politics to be more democratic, and at best to remove Mugabe and ZANU PF from power, realising democratic or regime change. Between the bi-partisan hegemonic contestation for dominant power pitting the MDCT and ZANU PF, Tsvangirai and Mugabe, the smaller MDC sought to play a moderating role informed by constitutional issues of major concern, pushing the devolution and decentralisation of political

Movement for Democratic Change (MDC) formations, on resolving the challenges facing Zimbabwe, <https://acjr.org.za/resource-centre/gpa.pdf>, Viewed 29 December 2020.

⁸⁸⁸ Dorman, R.S.2003. NGOs and the Constitutional Debate in Zimbabwe: from Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pp. 845-863.

⁸⁸⁹ Dorman, R.S.2003. NGOs and the Constitutional Debate in Zimbabwe: from Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pp. 845-863.

⁸⁹⁰ Dzinesa, G.A. 2012. Zimbabwe's Constitution Reform Process: Challenges and Prospects, Institute for Justice and Reconciliation.

⁸⁹¹ Dzinesa, G.A. 2012. Zimbabwe's Constitution Reform Process: Challenges and Prospects, Institute for Justice and Reconciliation.

⁸⁹² Dzinesa, G.A. 2012. Zimbabwe's Constitution Reform Process: Challenges and Prospects, Institute for Justice and Reconciliation.



power and authority to provincial entities.⁸⁹³ These attitudes of political parties and their key power brokers influenced the 2013 constitution-making process turning it into extended partisan competition. The 2013 constitution-making process largely succeeded because the SADC mediation committed the tripartite parties to the GPA roadmap.

5.5 The 2013 Constitution-making Process : Citizen Participation, Interparty Negotiation and Accommodation

There is scant literature which deals with the constitution-making process from a positive explanatory perspective,⁸⁹⁴ with many of the case studies largely focussing on either describing case processes or providing critiques of constitution-making processes. However, much has been written on the consequences of constitutional designs comparing presidential versus parliamentary systems, or unicameralism versus bi-cameralism.⁸⁹⁵ The Zimbabwe 2013 constitution is probably the most profound success of the SADC mediation in that it resulted from a SADC-mediated interparty negotiated process combining unicameralism under a presidential political system which deconcentrated political power from a previously hegemonic executive centre. The constitution-making process was driven through constitution-making structures with equal representation of the MDC formations and ZANU PF, and yet, allowed for broad-based citizen participation in gathering their views, before holding a referendum for a citizen to give their say on the final constitution. The structure of the 2013 constitution-making process shows that the SADC mediators worked with the three main political parties to check and balance their roles and interests. While the process embraced extensive public participation, it allowed the major parties to dialogue and make compromises on contentious issues of the process and content of the constitution.

The structures of the constitution-making process embraced and entrenched genuine multiparty political contestation in Zimbabwe. The 2013 constitution was led by the Constitution-making Parliamentary Committee (COPAC) constituted by a 25-member team appointed from the representatives of the three political parties represented in the legislature.

⁸⁹³ Muchadenyika, D. 2015. The Inevitable: Devolution in Zimbabwe–From Constitution-Making to the Future, in J. de Visser, et al, *Constitution Building in Africa*, Community Law Centre, University of the Western Cape.

⁸⁹⁴ Elister, J. 1996. Forces and Mechanisms in the Constitution-Making Process, 45 Duke L.J. 364 , <https://heinonline.org/HOL/LandingPage?handle=hein.journals/duk1r45&div=18&id=&page=>, Viewed 21 September 2021.

⁸⁹⁵ Elister, J. 1996. Forces and Mechanisms in the Constitution-Making Process, 45 Duke L.J. 364, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/duk1r45&div=18&id=&page=>, Viewed 21 September 2021.

The three Chairpersons of the COPAC were Paul Mangwana (ZANU PF), Douglas Mwonzora (MDCT) and Edward Mukhosi (MDC), representing all the MDC formations and ZANU PF, the three signatories to the GPA. The COPAC was launched on the 12th April 2009 in line with the GPA, to provide Zimbabweans with a democratic opportunity to write a new constitution.

The COPAC Chairpersons and the negotiators under the SADC mediation constituted the Management Committee which included Tendai Biti, Elton Mangoma, and Douglas Mwonzora (MDCT), Patrick Chinamasa, Nicholas Goche and Paul Mangwana (ZANU PF) and Welshman Ncube, Edward Mukhosi and Priscilla Misihairabwi (MDC), and directly reported to the three Principals of political parties and signatories to the GPA. They further dealt with all the critical matters, disruptions, interparty disputes over the process and content, practically engaging in further constitutional negotiations to address challenges emerging from the constitution-making process. Such structuring of the GPA rendered the three signatories to the GPA an overriding role, while locking it in interparty negotiations to allow critical compromises between the former conflict protagonists to create a constitution which reflected a shift from ZANU PF dominancy to a more pluralist or multiparty society.

While the COPAC leadership was constituted by elected officials based on the 2008 Parliamentary elections, the process afforded the public extensive broader participation. The COPAC constitution-making process was a people-driven and democratic process with regard to ownership and control of the constitution-making process itself, contents of the draft constitution, and the final constitution document. To the extent that the 2013 constitution-making process was negotiated, it was the COPAC chairpersons working as part of the Management Committee which were involved in negotiations to address the environment of the constitution-making process and issues related to political violence, problems at the level of drafting, processing the raw data from citizens and harmonising conflicting constitutional positions between the major political parties. The political context and environment during the phase of the constitution-making was highly politically charged, characterised by high broad-based awareness of the constitution-making process and participation as the public media played an important role in disseminating information.⁸⁹⁶

⁸⁹⁶ Taruvinga, P. 2014. People's perceptions on Zimbabwe's constitution making process: a case study of Glen Norah A, Harare, University of Zimbabwe Library, <http://www.library.uz.ac.zw/handle/10646/1259>, Viewed 20 September 2019.



Critics of the 2013 constitution-making process and its outcome suggest that it failed to provide for a people driven process.⁸⁹⁷ A Freedom House report argues that the failure to align laws with the new constitution left massive constitutional and legal contradictions which continue to undermine rule of law, protection and promotion of human rights, as well as effective governance.⁸⁹⁸ They further contend that the overriding partisanship subverted the constitution-making to dominant political party interests.⁸⁹⁹ Although the SADC mediation shifted political contestation from violent confrontation experienced in 2008 to dialogue and negotiations, the political disputations that characterised the constitution-making process reflected the unwillingness of the main political parties to underutilise their power in the coalition government, as well as the limitations of deployment of the constitutional discourse by the MDC as a tool for political change in Zimbabwe.⁹⁰⁰

The delays to implement the constitution-making process in the first half of the tenure of the Inclusive Government, only accelerated since 2012, towards what was envisaged to be the end of the tenure of the Inclusive Government, ensured that the three political parties focussed on extracting and securing political advantage from the process. The three main political parties expected to go into elections soon after the completion of the constitution-making process. The constitutional outreach programs and activities were therefore turned into intense partisan canvassing for preferred partisan constitutional positions, as much as campaigns for the 2013 elections meant to end the tenure of the Inclusive Government.

Although constitution-making processes are important for the realisation of democratic constitutionalism, they are internally contested, and they raise many questions about the process, who initiated and controls the constitution-making process, the manner and dynamics of the process itself, its outcome and legitimacy. The Zimbabwe constitution-making process degenerated into a level of contestation over partisan interests, albeit, not as violent as in 2000. ZANU PF persistently stalled the constitution-making process to combat and contain the MDC interests. ZANU PF resorted to the use of coercive intimidatory tactics of interference by the authoritarian state apparatus such as the security structures and the war veterans to disrupt

⁸⁹⁷ Guzura, T.2016. Constitution Making Under Governments of National Unity: The Zimbabwean Case 2009-2013, *Journal of Politics & Governance*, Vol. 5, No. 4, pp. 39-53.

⁸⁹⁸ Freedom House, 2016. Constitution Making in Southern Africa: The Cases of Tanzania, Zambia and Zimbabwe, <https://freedomhouse.org/report/analytical-brief/2017/constitution-making-southern-africa>, Viewed 21 September 2021.

⁸⁹⁹ Gwaravanda, T.E. 2012. Habermas Deliberative Democracy and the Zimbabwean Constitution-Making Process, *African Journal of Political Science and International Relations*, Vol.6(6), pp. 123-129

⁹⁰⁰ Ncube, C. and Okeke-Uzodike, U.2015. Constituting power and democracy: Zimbabwe's 2013 Constitution making and prospects for democracy, *African Renaissance* Vol. 12, No. 3-4, pp.



and delay the completion of the new constitution.⁹⁰¹ During the COPAC outreach, the war veterans and the ZANU PF militia worked closely with the security services to suppress meaningful public participation during the public outreach program by disrupting some of the scheduled meetings.⁹⁰²

Some key stages of the constitution-making process took tough inter-party bargaining to break intermittent political stalemates during large parts of the negotiations. As a result, although the GPA envisaged and provided for a 2-year period for constitution-making, the largely partisan COPAC constitution-making process took four years to produce a draft constitution, partly due to the huge scale of public participation, as well as interparty disputes which delayed the process. In addition to disruptions to the process of outreach and public participation, the main political parties, ZANU-PF and the MDC-T bargained, campaigned and eventually embarked on negotiations for favoured positions concerning the sticking points of the constitution. The same political parties focussed on a calculus of party interests to influence public opinion on controversial issues in the constitution such as, among others, executive powers, land, war veterans, media and citizenship,⁹⁰³ dragging the process until four years since it started.

There is no dispute that the COPAC driven 2013 constitution-making process was highly participatory. The Global Political Agreement provided a legal framework for the incorporation of participatory mechanisms in Zimbabwe's constitution-making process to ensure public participation, the constitutional outreach program, the First, and the Second All Stakeholders Conference and the national referendum, which allowed the public to exercise influence on the constitutional process and outcome.⁹⁰⁴ The participatory mechanisms of the 2013 constitution-making process were influenced by the historical context of the intrastate democratization conflict, previous failed efforts to produce a new constitution, contestation amongst the key political parties and the role of the SADC mediation in facilitating exit out of the Zimbabwe crisis through interparty dialogue and negotiations. Based on the GPA, the 2013 constitution-making process struck a balance between a people driven process which allowed citizen participation and interparty negotiations amongst the three GPA parties.⁹⁰⁵

⁹⁰¹ Mwonzora, D.T. 2017. Public Participation under Authoritarian Rule: The case of Zimbabwe, in A. Tania, et al, Public Participation in African Constitutionalism, London, Routledge.

⁹⁰² Mwonzora, D.T. 2017. Public Participation under Authoritarian Rule: The case of Zimbabwe, in A. Tania, et al, Public Participation in African Constitutionalism, London, Routledge.

⁹⁰³ Gwaravanda, T.E. 2012. Habermas Deliberative Democracy and the Zimbabwean Constitution-Making Process, African Journal of Political Science and International Relations, Vol.6(6), pp. 123-129

⁹⁰⁴ Mwonzora, D.T. 2017. Public Participation under Authoritarian Rule: The case of Zimbabwe, in A. Tania, et al, Public Participation in African Constitutionalism, London, Routledge.

⁹⁰⁵ Guzura, T.2016. Constitution Making Under Governments of National Unity: The Zimbabwean Case 2009-2013, Journal of Politics & Governance, Vol. 5, No. 4, pp. 39-53.

As stipulated by the GPA, the 2013 constitution-making process was driven by the Constitution Parliamentary Committee (COPAC), constituted by representatives of the three major political parties during the SADC mediation. The structures cascaded from national to the district level through subsidiary committees. Furthermore, COPAC initiated and held public consultations and hearings across the country allowing for broader peaceful citizen participation. Finally, COPAC compiled a report for Parliamentary consideration of the constitution content and its recommendations in the draft constitution, followed by Parliamentary debate on the constitution before the referendum was held. Although the GPA recommended specific time frames for the constitution-making process, it took until 2013 towards the end of the tenure of the Inclusive Government to hold the referendum. After the adoption of the 2013 constitution, the country faced a long process of translating new constitutional rules into new laws, thus aligning the political system, processes and institutions in line with the new constitution.

In terms of the implementation of the constitution-making process, the 2013 constitution-making process was rolled out in three phases, the preparatory phase which basically focussed on stakeholder mapping and selection, leading to the holding of the first All Stakeholders' conference in July 2009. The All-Stakeholders Conference came up with the 17 thematic areas and committees to guide the outreach teams in soliciting the views of the people. Furthermore, the All-Stakeholders Conference determined that civil society representatives constitute at least 70% of potential participants, with parliament constituting the other 30% of all the organs of the constitution-making process.

The second phase, aptly dubbed the consultation phase, was officially opened by the three principals and leaders of their political parties in Parliament, who rallied their supporters to fully participate in the constitution-making process, and to shun partisan political violence. The whole constitutional consultation process took about 100 days, and a total of 4 821 meetings were held, with 1 118 760 people having attended public meetings. The meetings comprised of 416 272 (37%) males, 441 238 (39.44%) females, 252 240 (22.64%) youths and 8 020 (0.72%) being people with living with disabilities.⁹⁰⁶ COPAC conducted outreach meetings and recorded the views of Zimbabweans living within the country as well as the Diaspora, gathering views during public meetings. COPAC also received constitutional written submissions by

⁹⁰⁶ Report of the Constitution Parliamentary Select Committee (COPAC) to the Zimbabwe Parliament, 7 February, 2013, Veritas.com.



various Zimbabwean institutions, including views of the children and Zimbabweans living with disabilities.⁹⁰⁷

The final phase of the 2013 constitution-making process was the drafting phase. The COPAC appointed three constitution drafters, Brian Crouzier, Priscilla Madzonga and Justice Chinhenga, all appointed on the basis of their high-profile legal work experience in Zimbabwe and the region, to lead the drafting and actual writing of the new constitution. Each of the signatory political parties to the GPA deployed 2 members to assist the drafters as a secretariat or technical team. For example, the MDC deployed Matshobana Ncube and Josphat Tshuma, the MDCT deployed the late Professor John Makumbe and Dr Alex Magaisa, while ZANU PF deployed Goodswill Masimirembwi and Jacob Mudenda. The drafters went through over 100 million responses, most of which were political complaints demonstrating discontent with bad government, rather than constitutional issues. The drafters managed to accomplish their work, drawing a credible draft constitution under increasingly politically difficult and polarised conditions characterised by intense scrutiny from ZANU controlled public media. ZANU PF exerted much pressure on the drafters, and engineered a crisis by unilaterally presenting a 29-page document with new set of demands, which it claimed to be non-negotiable. Accordingly, ZANU PF played its hand to force further serious negotiations by the Management Committee working closely with the principals of the political parties to break this constitutional deadlock.

While many transitologists and policy makers are concerned with the critical juncture of democratic transition, that moment at which the break with the old regime is unleashed, constitution-making is the most important process of the democratic transition process.⁹⁰⁸ The constitution-making processes are a central aspect of democratic transitions, peacebuilding and state-building as they allow for the construction of new constitutional orders, rules, governance institutions and structures, determining what the emerging regime would look like.⁹⁰⁹ Both the process of decolonisation and the third wave of democratic transition ushered a continental epidemic of constitution-making to foster peace and democracy in African

⁹⁰⁷ Report of the Constitution Parliamentary Select Committee (COPAC), Presented to Parliament, 7 February, 2013, https://view.officeapps.live.com/op/view.aspx?src=http%3A%2F%2Fwww.veritaszim.net%2Fsite%2Fveritas_d%2Ffiles%2FCOPAC%2527s%2520Final%2520Narrative%2520Report%2520to%2520Parliament%2520-%2520%2520Feb%25202013.doc&wdOrigin=BROWSELINK, Viewed on 29 December 2020.

⁹⁰⁸ Landau, D.2012. The Importance of New Constitution-making, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/denlr89&div=28&id=&page=>, Viewed 20 September 2021.

⁹⁰⁹ Landau, D.2012. The Importance of New Constitution-making, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/denlr89&div=28&id=&page=>, Viewed 20 September 2021.



countries.⁹¹⁰ However, Zimbabwe was plunged into crisis and illegitimacy, partly because the ruling ZANU PF held onto the Lancaster House constitution of 1980, which the ruling Party had controversially amended 17 times by 2008, coercively repelling pressure for constitutional reforms.

Although the SADC mediation successfully pushed the Zimbabwe conflict parties into constitutional negotiations in 2007, culminating in the ill-fated, exclusively elite negotiated and written Kariba draft constitution, the agreement between ZANU PF and the MDC formations to produce a new constitution in terms of article V1 of the GPA was a landmark profound achievement in resolving the Zimbabwe crisis. Article V1 of the GPA upheld the fundamental right, necessity and need for Zimbabweans to own and drive an inclusive and democratic constitution-making process.⁹¹¹ Given the extent of political polarisation and violence in Zimbabwe, the constitution-making process was delicate, risked being dominated by powerful power brokers within the state and political parties, particularly ZANU PF and MDC formations deploying their manufactured or real majorities to influence and dominate the constitution-making process and outcome.

In terms of the constitution-making process, Michelle suggests a multi-step process starting with agreement or broad consensus that a country needs a new constitution, negotiation and agreement on how the constitution should be made, establishment of structures, boards, committees and secretariat for constitution-making, structures for public information dissemination and awareness, and a constitution-making roadmap involving public consultations through to the referendum and adoption of a democratic constitution.⁹¹² ZANU PF, the MDC formations and Zimbabwean citizens were largely agreed on the need for a new constitution by 1999, although there were deep differences on the process of executing the constitution reforms epitomised by coercive political contestation for power between the MDC formations and ZANU PF, and Mugabe and Tsvangirai. Since 1999, Zimbabwe went through four failed attempts at constitution reforms largely dominated by the state, and one led by the National Constitution Assembly (NCA). Drawing from these failed experiences, and the influence of the SADC mediators, the 2013 constitution-making process adopted a hybrid participatory approach embracing a parliamentary system of constitution-making rooted in

⁹¹⁰ Adelman, S.2013. Constitutionalism, Pluralism and Democracy in Africa, *The Journal of Legal Pluralism and Unofficial Law*, Volume 30, Issue 42, pg. 73-88.

⁹¹¹ Affairs Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, 2008, Ministry of Constitutional and Parliamentary Affairs, Government of Zimbabwe.

⁹¹² Michele B et al, 2011. *Constitution-making and Reform: Options for the Process*, Geneva, Interpeace.

interparty negotiations, and citizens participation, debate, consensus and accommodation on various constitutional issues, laying a strong foundation for regional mediated and negotiated democratic transition driven through citizen participation and interparty dialogue and negotiation.

While civilian and military dictatorships were historically swept away by revolutions culminating in the drawing of new constitutions by the people or leaders of a new regime, paving the way for the establishment of rule-of-law-based governance systems characterized by constitutionalism and constitutional government, the Zimbabwe constitution of 2013 emerged out of a negotiated process between ZANU PF and the MDC formations, denominated by huge citizen participation, albeit organised along political party lines, following more than a decade of violently polarised political confrontation and later, SADC mediated constitutional negotiations. For the first time since 2000, ZANU PF and the MDC formations representatives and supporters participated in reshaping the Zimbabwean political society with minimal adversarial violent conflict. Although constitution-making processes are important for the realisation of democratic constitutionalism, they are internally contested, and they raise many questions about the process, who initiated the constitution-making process, the manner and dynamics of the process itself, its outcome and legitimacy. While the 2013 constitution-making process was in other ways a continuation of political contestation between ZANU PF and the MDC formations over the political system and future of Zimbabwe, the conflict issues were treated as policy and constitutional alternatives mediated through dialogue, negotiation and partisan mobilised public participation. Ultimately, the success of any constitution-making process is not guaranteed, and while in some cases a constitution may be realised, its transformative impact on the political system, institutions and practices may take some time.

The realisation of the 2013 constitution was one of the major achievements of the SADC mediation in Zimbabwe. Demands for constitutionalism and a people driven new constitution ranked amongst the major causes of the Zimbabwe crisis and the struggle for democratic legitimacy in Zimbabwe. Zimbabwe slumped deeper into crisis following the rejection of the 2000 government led constitution-making process and draft, as the opposition and civil society agitation was amplified. Disagreements between ZANU PF and the MDC formations over constitutional reforms date back to 1997 when civil society formations converged with labour, the student's movement and other NGOs to demand a new constitution made by Zimbabwean citizens to replace the sunset negotiated Lancaster House constitution of 1980.⁹¹³ While

⁹¹³ Dorman, S. 2010. NGOs and the Constitutional Debate in Zimbabwe: from Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pg. 845-863.



protestations against the Lancaster House constitution which had been unilaterally amended 17 times by the ZANU PF government raising concerns about the constant assault to constitutionalism, rule of law and democracy, became the rallying mantra for democratic political mobilisation,⁹¹⁴ it is the failed constitutional process in 2000 which raised the ante against the ruling ZANU PF. Since 2000, violent contestation and agitation over democratic constitutionalism and the need for constitutional reforms was one of the major political causes and activities characterising the Zimbabwe conflict. Between 2000 and 2008, Zimbabwe embarked on failed constitutional reform process such as the Chidyausiku led 1999-2000 government led process, the 2001 NCA constitution draft, Amendments No.18, 19, the Kariba Draft, and eventual the successful 2013 constitution.⁹¹⁵

In Chapter 1, we argued that the establishment of a basic degree of consensus over the limits of sovereign power both within the political elite and within society in general is essential for a stable and consolidated democracy. While there does not have to be a new constitution for this kind of consensus to be established and, conversely, constitutions may be born in a context in which a broad consensus is lacking, we would suggest that constitutional reform is a likely, though far from essential, ingredient of transition to democracy necessary in building broader national consensus. In terms of the impact of the constitution-making process, in Chapter 1 we identified two conceptual paradigms to shed insight into the implications of constitution-making and constitutionalism to democracy. On the one hand, advocates of participatory constitution-making argue that an open and democratic constitution-making process in which there is broad public participation is likely to be more conducive to democratization than an elite-driven process that is carried out behind closed doors. On the other hand, advocates of democracy 'crafting' and pact-making would hold that isolation of the pact-makers from the clamour of the public realm is more likely to result in a successful democratic pact than a more open process.⁹¹⁶

From 2000 to 2008, the ruling ZANU PF government brutally pushed back against the opposition MDC, the National Constitutional Assembly (NCA) and broader civil society

⁹¹⁴ Zimbabwe Lawyers for Human Rights, Amendments to the Constitution of Zimbabwe: A Constant Assault on Democracy and Constitutionalism, <http://hrlibrary.umn.edu/research/constitution%20statement-sunday%20mirror.pdf>, Viewed 20 October 2021

⁹¹⁵ Guzura, T.2016. Constitution Making Under Governments of National Unity: The Zimbabwean Case 2009-2013, *Journal of Politics & Governance*, Vol. 5, No. 4, pp. 39-53

⁹¹⁶ Wheatley, J. and Mendez, F.2013. Outcomes of Constitution-Making: Democratization and Conflict Resolution, J. Wheatley and F. Mendez, *Patterns of Constitutional Design: The Role of Citizens and Elites in Constitution-Making*, London, Routledge

formations resisting demands and pressure for a new people driven constitution.⁹¹⁷ While ZANU PF initially outrightly rejected any suggestions for constitutional reforms or writing a new constitution, in 1999, the ruling party conceded to the government instigated process of constitutional reforms. When the government sponsored constitution, draft was rejected at the 2000 constitution referendum, ZANU PF, once again refused to allow any constitutional reforms, triggering polarised violent confrontation with the opposition MDC and its civil society allies.⁹¹⁸ The MDC formations embarked on protests and international lobbying to push the ZANU PF government for a people driven constitution-making process.

The constitution of a nation provides for governing statutes which mechanically defines the structures of government and the relations between the government and the governed, thus providing a mirror of the national soul, the identification of the ideals and aspirations of a nation, the articulation of the values binding its people, citizens and disciplining its government. In addressing conflict and fostering democratic transition constitution-making comes with legitimate constitutional formulae or constitutional arrangements which should address the real causes of discontent, fostering exit from legitimacy crisis. Accordingly, the development and use of appropriate processes and procedures for constitution-making is of the greatest practical importance.⁹¹⁹

Debates on constitution-making processes look at inclusivity, legitimacy, participation, especially whether the process is either elite centric or people driven, and whether it's triggered by a collapse of the system or gradualist process of democratic transition. The 2013 constitution resulted from a long process of SADC mediated interparty dialogue and negotiations amongst the Zimbabwean political parties. To be fair, although the process was led by political parties in Parliament, as stipulated by the GPA, and involved intense interparty negotiations, it also involved broad based participation by ordinary citizens, largely directly organised by political parties. Civil society formations played important roles in influencing the constitution-making process from outside, lobbying the political parties and their leaders, while spreading awareness and encouraging public participation. By and large, although the constitution final was subjected to a referendum, and was fully supported by the three main

⁹¹⁷ Maguire, B. 2015. Polarization and transformation in Zimbabwe: social movements, strategy dilemmas and change, *Journal of Contemporary African Studies*, Volume 33, Issue 3, pg. 415-418

⁹¹⁸ Dorman, S. 2010. NGOs and the Constitutional Debate in Zimbabwe: from Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pg. 845-863

⁹¹⁹ Hatchard, J. 2001. Some Lessons on Constitution-Making from Zimbabwe, *Journal of African Law*, Volume 45, Issue 2, pp. 210 – 216



political parties in parliament, the 2013 constitution was ultimately a negotiated agreement between the MDC formations and ZANU PF.

Although the constitution-making process as stipulated in the GPA started in 2010, it culminated in three years of debate and discussion, punctuated by interparty negotiations under the SADC mediation and outreach meetings which turned local community meetings into focal points for constitutional politics in Zimbabwe.

The struggle for constitutional reform was one of the most titling pervasive issues which fuelled the Zimbabwe crisis since 1997, splitting contestation over constitutional reform between two polarised processes since 1997, a government instigated approach and a people driven (the opposition and civil society) approach.⁹²⁰ The rejection to participate in the government led constitution-making process by the NCA, and later their successful campaign for a NO vote at the 2000 referendum violently divided the Zimbabwean political society, sowing the seeds for subsequent violent confrontation between ZANU PF and the MDC parties. In 2001, the NCA produced its own people driven draft constitution.⁹²¹ The constitutional issues became the most important organizing issue for civil society, the opposition and labour, as they pushed the ZANU PF government to allow Zimbabweans to write a new people driven constitution to replace the Lancaster House constitution which the ruling party amended 17 times before 2008 in a bid to concentrate and consolidate partisan control of the state and government, while increasingly exercising authoritarian rule.

When in 1999 the ZANU PF government agreed to a government led constitutional reform process, the resultant draft was rejected at the referendum over partisan control, and differences between the MDC and civil society on one side, against ZANU PF on the other, over the process of constitutional reforms. The rejection of the 1999-2000 constitution draft set the government of Zimbabwe, the opposition and civil society on collision course deepening partisan violent polarisation, and generated mutually adversarial campaigns domestic and international campaigns which fed into international ostracization of the ZANU PF government.

On the side of the opposition and civil society, demands for constitutional reforms and specifically a people driven constitution became the foundation for collaborative mobilisation

⁹²⁰ Dorman, S. 2010. NGOs and the Constitutional Debate in Zimbabwe: from Inclusion to Exclusion, *Journal of Southern African Studies*, Volume 29, Issue 4, pg. 845-863

between the MDC formations, the National Constitutional Assembly (NCA), the students' movements and labour creating a broad-based pro-democracy movement which further extended its influence regionally and internationally. Many civil society formations and activists campaigned with and voted for the MDC formations because the opposition backed constitutional reform.

In 2007, SADC pushed the conflict parties to embark on the ill-fated Kariba constitutional negotiations following attacks on civil society leaders who were protesting for constitutional reforms amongst other issues. In spite of negotiating for several months, the Kariba negotiations floundered because both the MDC and ZANU PF were not fully committed to the outcome and the process, hence the Kariba negotiations process was overtaken, or rather succeeded by the SADC mediation of 2008.

Through its outreach programmes which provided for public participation, the 2013 constitution-making process provided opportunities deliberative processes that promoted national reconciliation, conflict resolution and consensus building as citizens raised their expected interests, views and popular aspirations. Many supporters of the MDC parties and ZANU PF supporters attended constitutional reform meetings to articulate their positions or positions of their political parties.

Successful democratic transition rests on constitutional reform, the reformulating of rules that govern society, as well as establishing governmental and institutional legitimacy through writing and adoption of new constitution through legitimate democratic means. The 2013 constitution-making process allowed ZANU PF and MDC formations to process constitutional contributions elicited from the public, negotiate, trade-off and secure their ideologies, political programs and interests through negotiation and political accommodation.

In addition to interparty negotiations held amongst the political elites, the 2013 constitution-making process provided platforms for comparatively peaceful dialogue amongst the citizens and political power brokers, creating new inclusive institutions and rules (mostly for peaceful accommodative and democratic mediation of conflict) through citizen participation and representation in the state allowing for broader enfranchisement of the citizens,⁹²² thus, fostering democratisation.⁹²³ The making of new constitutions play an important role in the

⁹²² Akiba, O. 2004. *Constitutionalism and Society in Africa*, Hants, Ashgate

⁹²³ Hayden, G. 2001. *Constitution-making and Democratisation in Africa*, Pretoria, Africa Institute of South Africa



construction of democracy,⁹²⁴ by creating pluralist representative democratic institutions fostering post-conflict democratic rule.⁹²⁵

The 2013 constitution, at least on paper, created a range of new institutions which decentralised political power at the level of the Executive, and commissions to address historical and contemporary issues, ushering Zimbabwe into a pluralist democracy which embraced genuine multiparty politics by recognising the legitimacy of the former opposition, the MDC formations, and working together with ZANU PF, in Parliament and other institutions. The 2013 constitution embraced devolution of power from central to provincial authority, redefined executive authority, strengthened legislative oversight and Judiciary autonomy, introduced and or strengthened some of the political reforms introduced since 2009. By and large, there is consensus across the major political players in Zimbabwe, within the SADC mediators and the international community that the 2013 constitution was the most democratically progressive outcome of the SADC mediation in Zimbabwe. However, the same constitution was ominously amended in 2014, and later in 2020, in changes which were criticised by domestic civil society and the opposition as regressive and counterproductive, more focussed on concentrating political power in the Executive under President Mnangagwa.

5.5.1 Political Reforms: Human Rights and Civil Liberties

The agenda of the Inclusive Government, and the SADC mediation was dominated by calls for political, media, civil liberties and human rights reforms. As Zimbabwe plunged deeper into crisis, demands for political reforms, the liberalisation of the media and protection of civil liberties became a major issue impinging on democratisation. Proponents of democratic transition argue that the process of democratisation entails upholding of freedoms of expression and association and respect for individual rights and freedoms, which are also crucial for the exercise of citizen participation and expression of the will of the people, during elections processes.

The GNU addressed the governance and democracy deficit in Zimbabwe by establishing independent and transparent commissions like the Zimbabwe Electoral Commission (ZEC),

⁹²⁴ Wing, S.D. 2010. *Constructing Democracy in Africa: Mali in Transition*, New York, Palgrave Macmillan.

⁹²⁵ Ronen, D. 1986. *Democracy and Pluralism in Africa*, Harvard University, Africa Research Program.



the Zimbabwe Human Rights Commission (ZHRC), Zimbabwe Media Commission (ZMC)⁹²⁶, to ensure post-conflict justice, healing and reconciliation; National Peace and Reconciliation Commission (NPRC) among others. The Media Commission crucial the role of addressing issues of media freedoms, the rights of journalists, given the hostile environment and media repression that affected the media space before 2009. The NPRC had an important comprehensive mandate to address pervasive hostile and violent societal division which undermined nationhood, corroded statehood and unity in Zimbabwe. The National Peace and Reconciliation Commission was constituted to develop and implement programmes to promote national healing, unity and cohesion in Zimbabwe and the peaceful resolution of disputes given the violent historical past which tended to aggravate political polarisation and societal division.⁹²⁷ In addition to positive constitutional mechanisms to protect human rights and civil liberties, the ZHRC was constituted to address historical violations of human rights, and promote, protect, enforce and foster a culture of respect for human rights in Zimbabwe. This also helped to foster a culture of human rights, recognising and acknowledging their importance in the Zimbabwean society.⁹²⁸ The membership of the Zimbabwe Human Rights Commission (ZHRC) was open to independent persons with expertise in the selected areas, and not only confined to state actors. By facilitating the institutionalisation of these Commissions, the SADC mediation fostered a culture of respect to human rights in Zimbabwe reinforcing the process of democratic transition. Although most of the Commissions suffered from lack of funding from the government, the three parties to the Inclusive Government cooperated to institutionalise the Commissions with limited donor funding. Fundamentally, the tenure of the Inclusive Government and the SADC mediation witnessed reducing violations of human rights, efforts towards addressing the past, as well as profiling and formalising these issues as part of the agenda of Government of Zimbabwe.

During the SADC mediation the Inclusive Government also repealed such repressive media and public order laws introduced by the ZANU PF government since 2000. The Inclusive Government reformed the Public Order and Security Act (POSA), the Access to Information and Privacy Act (AIPPA), and some state of emergency laws which impinged on the freedoms of association, movement, expression and freedom from torture. The notorious AIPPA and

⁹²⁶ Chitimira, H. and Mokone, P. 2016. The Functions of Selected Human Rights Institutions and Related Role Players in the Protection of Human Rights in Zimbabwe, Pioneer in peer-reviewed, open access, online law publications, <https://perjournal.co.za/article/view/1150/2639>, Viewed 23 December 2020.

⁹²⁷ Zimbabwe Legal Information Institute, National Peace and Reconciliation Commission, <https://old.zimlil.org/zw/legislation/act/2017/11>, Viewed 18 December 2020.

⁹²⁸ Chitimira, H. and Mokone, P. 2016. The Functions of Selected Human Rights Institutions and Related Role Players in the Protection of Human Rights in Zimbabwe, Pioneer in peer-reviewed, open access, onlinelaw publications, <https://perjournal.co.za/article/view/1150/2639>, Viewed 23 December 2020.



POSA, were invoked by the ZANU PF government to deny and penalise the opposition and civil society for holding public meetings and rallies, infringing on their freedom of association and expression, and the ability and to share political views. AIPPA was widely used to repressively regulate the media, punish media practitioners, and in some ban media houses. The Daily News, Zimbabwe's most popular private daily newspaper was banned based on AIPPA, allegedly for violating media registration laws. These reforms also impacted the historical partisan of the police, security and intelligence institutions, as well as the Judiciary, institutions which had become so partisan and synonymous with ZANU PF, before the 2009. Thus, the SADC mediation exercised its regional diplomacy by driving a process of negotiated political liberalisation which opened democratic space in 2008 to 2013.

5.5.2 Media Reforms and Democratic Transition in Zimbabwe

The media play an important role in democratic transitions and consolidation, rendering media freedom crucial for citizen awareness, participation and informed debate in policy, candidate and political party support choice during political competition and government oversight as watchdogs, or the fourth estate.⁹²⁹ The media contribute to the public sphere by providing citizens with information about their society, fostering informed debate about various issues and encouraging informed decisions making about various courses of action and choices available to them.⁹³⁰ Accordingly, the media became a site of contestation in which diverse positions are advanced, significant opinions are heard, interests and inner-workings are exposed, input is received, and political parties and leaders fight for control in a bid to control and influence public debate, particularly during democratic transitions. Authoritarian regimes are known to control or muzzle the media through draconian regulation, intimidation, harassment and arrests of media practitioners, closure of media houses, disabling registration requirements, torture of journalists, denying or penalising access to information in ways which criminalises media and journalism as professions as methods to control and filter what goes to the public in order to control public opinion. The media plays a crucial role for domestic and international mobilisation during democratic transitions.

⁹²⁹ McConnell, P.J. and Becker, L.B. 2002. The Role of the Media in Democratization, Paper presented to the Political Communication Section of the International Association for Media and Communication Research at the Barcelona Conference, July 2002., https://grady.uga.edu/coxcenter/Activities/Act_2001_to_2002/Materials01-02/DemocratizationIAMCRJuly2002.pdf, Viewed 24 December 2021.

⁹³⁰ McConnell, P.J. and Becker, L.B. 2002. The Role of the Media in Democratization, Paper presented to the Political Communication Section of the International Association for Media and Communication Research at the Barcelona Conference, July 2002., https://grady.uga.edu/coxcenter/Activities/Act_2001_to_2002/Materials01-02/DemocratizationIAMCRJuly2002.pdf, Viewed 24 December 2021.

The ZANU PF government exclusively controlled public media in the country, both print, radio and the ZBC TV, the only television channel in the country. Radio, especially, vernacular channels, have the largest reach in the country, followed by the partisan print media, while TV is largely limited to urban areas. Although private print media has flourished since 2000, with such newspapers as the Daily News, taking a pro-opposition approach, ZANU PF used various draconian approaches to muzzle, close newspapers, harass media practitioners and closing media space to limit opposing media views from the access to citizens to maintain its tight control on political power. A combo of over lapping law and order regulations, protection of privacy and draconian media laws were used since 2000 to close media space, in some cases endangering the lives and violating the rights of media practitioners to deny media freedoms to the citizens. During the 2008 elections, ZANU PF used the public media as a propaganda tool, shut all opposition voices out of the public media, while closing space for private media which covered the opposition. The media space became extremely dangerous for media practitioners, a common pattern during most elections.⁹³¹ According to Human Rights Watch (2010) In 2020 Zimbabwe still faced continuing media freedom violations ranging from threats, unfulfilled media and legislative reforms, arbitrary arrests and harassment of journalists compounded by lack of human rights reforms, which undermined freedoms of the press, speech and expression.⁹³²

The SADC mediation was therefore faced with demands for media reforms to institutionalise more free and independent media, interlinked with broader need to open political space in Zimbabwe. Media freedoms are a major issue in democratic transitions as they have implications for the role and relationship of the media with the citizens in making political and policy choices. The availability of unfettered information to the public influences their political behaviour and choices, and in the case of Zimbabwe, the media filtered crucial information covering the regional mediated path to democratic transition and the complex roles of the three major political parties as they continued to jostle for political control of the transition process. The issue of media reforms in Zimbabwe was crucial for the democratic transition process and the SADC mediation as regional efforts to end the Zimbabwe conflict gathered momentum.

⁹³¹ Moyse, A.2009. The Media Environment Leading up to Zimbabwe's 2008 elections, in E.V. Masunungure (Ed.) Defying the Winds of Change: Zimbabwe's 2008 Elections, Harare, Weaver Press

⁹³² Human Rights Watch.2010, Sleight of Hand: Repression of the Media and the Illusion of Reform in Zimbabwe.



The SADC mediated Inclusive Government undertook legislative reforms to amend, and or make new laws in place of historical and contemporary draconian law and order regulations, media laws and institutions in line with the GPA Article 19 which called for the liberalisation of the media.⁹³³ Such as the Zimbabwe Media Commission(ZMC), The Access and Protection of Privacy Act(AIPPA)(2002), Public Order and Security Act(POSA)(2002), The Broadcasting Services Act (BSA)(2001), The Criminal Law Codification Act (2004), laws which criminalised the practice of journalism and punish critics of the government, undermining freedoms of expression, the press and association, and creating an informal environment of informal brutal censorship, Human Rights Watch(2010). The Inclusive Government appointed the Broadcasting Authority of Zimbabwe (BAZ), to register new media houses and players willing to enter the media space, opening the media industry to a plurality of players in both print and broadcasting media. The Inclusive Government further offered an Information of Communications Law, which merged various laws and acts to create a National Information and Communications Technology Authority of Zimbabwe, assigned to regulate the sector. Furthermore, the Ministry of information allowed the BBC (British Broadcasting Corporation) and Cable News Network (CNN) to report from Zimbabwe, since they were banned in 2002.

The Inclusive Government also committed to granting the Daily News a licence to operate. The Daily News, Zimbabwe's largest daily newspaper since 2001, was closed in 2003,⁹³⁴ after its printing press was bombed in alleged state operation in 2001.⁹³⁵ In a watershed development for media plurality, the Inclusive Government gave operating licences to the formerly banned Daily News, Newsday, the Weekly Worker, The Daily Gazette and the Mail. In July 2010, the Inclusive Government issued more licences to Cable News Agency, African Open Media Initiative, Zimceleb, and Sports24 Magazines allowing media plurality and diversity, affording citizens access to alternative sources of information crucial to making their democratic choices.

Since 2010 Since the formation of the SADC mediated Inclusive Government, there was increased dialogue between the Government and the Media focussing on improving the media operating environment and laws. The SADC mediation in Zimbabwe successful opened the process of media liberalisation in Zimbabwe, which improved the media environment, and

⁹³³ The Global Political Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change (MDC) formations, https://constitutionnet.org/sites/default/files/global_political_agreements_2008.pdf, Viewed 10 August 2022.

⁹³⁴ Reliefweb, Zimbabwe: Closure of a main independent newspaper, 15 September 2003, <https://reliefweb.int/report/zimbabwe/>, Viewed 27 December 2020.

⁹³⁵ The Guardian, Bombs wreck Harare presses, 21 January 2001, <https://www.theguardian.com/world/2001/jan/29/zimbabwe.andrewmeldrum>.



relations between the Government and role players in the media sectors. The country also experienced declining cases of partisan polarising hate speech, as media focussed more on the policies of the Inclusive Government. Residual isolated aberrations to media freedoms however saluted the progress made during the tenure of SADC mediated Inclusive Government, as human rights organisations and civil society cited them out of context to buttress a narrative of regression in political reforms. The 2013 elections were held in a highly reformed media environment characterised by plurality of voices, and peaceful political stability permitting freedoms of expression, the press and association, enhancing democratic transition. The 2013 constitutional reforms further consolidated gains in media freedoms.

5.5.3 The Zimbabwe Election Commission (ZEC) and Electoral Reforms

The ZEC was established under Section 61 of the Constitution of Zimbabwe through the promulgation of Constitutional Amendment Act No 17, (Act 5 of 2005), to replace the Electoral Supervisory Commission in running and administering elections in Zimbabwe. Constitutional Amendment Act No. 17 therefore describes the membership, the appointment of members, and functions of the ZEC. Although ZEC manages and runs the elections in Zimbabwe, voter registrations is located in the Office of the Registrar General, under the Ministry of Home Affairs.

The ZEC has controversially been at the centre of debates in the growing research on elections and electoral system in Zimbabwe, criticised for hampering democratic transition, presiding over troubled political electoral contestation,⁹³⁶ hence robust calls for required reforms. Since 2000, the ZEC was criticised for systemic and institutional partisanship, subservient control by ZANU PF, instead of being professional and independent, and therefore complicit, if not actively involved in electoral fraud and mismanagement. According to Makumbe (2009) the ZEC actively capitulated to ZANU FP to fraudulently participate in inflating the votes in the 2008 elections, to allow an illegal run-off election.⁹³⁷ In a recent study, Moyo (2019) suggests that ZEC is the fulcrum and engine for electoral rigging in Zimbabwe.⁹³⁸

The ZEC lacked the crucial trust from civil society, and the opposition formations which is probably the most critical factor in determining whether political parties could accept electoral

⁹³⁶ Mapuva, J. and Muyengwa-Mapuva, L.2014. The Troubled Electoral Contestation in Zimbabwe, *International Journal of Political Science and Development*, Vol. 2(2), pp. 15-22.

⁹³⁷ Makumbe, J.M.2009. Theft by Numbers: ZEC's Role in the 2008 Elections, in E.V. Masungure (Ed.) *Defying the Winds of Change*. Weaver Press, Harare.

⁹³⁸ Moyo, J.2019. *Excelgate: How Zimbabwe's 2018 Election was Stolen*, Harare, SAPES.



outcomes or not, in Zimbabwe. Makumbe (2009) suggests that the ZEC, assigned with the administration and running of elections was impotent, partisan as the appointment and dismissal of its commissioners was entirely at the discretion of the President, since it lacked independent executive powers. In spite of its broad mandate and role, ZEC has a very lean structure and small secretariat, which is inadequate for its required tasks. ZEC was also accused of being staffed by former and serving military officials deemed strong ZANU PF supporters. The ZEC Chairperson until 2008, was Justice Chiweshe, a retired senior military official, and alleged ZANU PF supporters who played a central role in the 2008 deadlocked elections. Since 2000, Zimbabwe faced dragging electoral disputes which ended up in the courts of law, without the necessary legal justice, the courts which were also partisan, failed to provide legitimate legal recourse, Asuelime (2019).⁹³⁹ Political reforms in general, and reforming the ZEC in particular, became a major test for the SADC mediation, and implementation of political reforms in Zimbabwe.

To address some of the critical undemocratic influences and practices associated with ZEC, in order to facilitate peaceful democratic transition, the parties to the Inclusive Government agreed to the appointment of Judge Rita Makarau, as new ZEC Chairperson, a respected judge viewed as moderate, professional and not necessarily partisan, to lead electoral and institutional reforms at ZEC.⁹⁴⁰ As a professional, Makarau's efforts to foster integrity, a culture of accountability, transparency, credibility, reliability and on-going inclusive dialogue with key stakeholders such as political parties, the media, and civil society, to build much needed citizen confidence at ZEC and outside it is widely acknowledged in Zimbabwe.

The Inclusive Government invoked the Presidential Powers Temporary Measures Act to amend the Electoral Act through statutory instrument 85 of 2013, with agreement in the Cabinet of the Inclusive Government. Although the use of Presidential powers was criticised as undemocratic and unilateral, there was consensus on the content and substance of the reforms amongst the three main political parties, the MDC formations and ZANU PF. The changes also paved way for adoption of proportional representation in Parliament, inclusively broadening legislative representation of youth and women within political parties.

⁹³⁹ Asuelime, T.L. 2019. An overview of the state of electoral justice in Zimbabwe, *African Renaissance* Vol. 16, No. Special Issue 1, pp. 11 -24.

⁹⁴⁰ The Africa Report, Tough road ahead for Zimbabwe Electoral Commission's New Head, 23 April 2013, <https://www.theafricareport.com/5814/>, Viewed 27 December 2020.



The statutory instrument addressed and aligned issues of voter registration, deployment and roles of elections of agents, abolished the showing of ballot papers to the Presiding officers, securing the privacy of the vote, public display at voting stations of results, and the announcement of elections results within 5 days, cumulatively improving electoral rules, voter participation and transparency of the vote and the electoral process. Furthermore, the Electoral Act of 2012 strengthened the transparency and credibility of the electoral process by creating core management of voter registration between the ZEC and RGOs office. The ZEC took the sole mandate to supervise the voter registration process and the setting of voting voters registration centres. Accordingly, the ZEC effectively implemented voter registration and inspection, in terms of Section 6 (3) and Section 43(2) of the Zimbabwe constitution, supervising the RGOs office, and allowing Zimbabwean citizens to exercise their right to vote based on universal suffrage, thus opening voter participation to all citizens without intimidation. Democracy calls for equal participation and inclusion,⁹⁴¹ beyond formal and informal disenfranchisement as occurred through coercive violent, intimidation, exclusion and manipulation of electoral processes as experienced in the 2000, 2002 and 2008 elections.⁹⁴² Thus the reforms introduced by ZEC in 2013 markedly electoral processes, mitigating electoral fraud through gerrymandering.

While on the one side of the ZEC, the new Chairperson demonstrated an appetite for political reforms, professionalism, independence and competence, there were clear indications and appetite for professionalism and reform, there was also evidence of political interference and internal resistance to reforms. Although the electoral act mandates ZEC to supervise the Registrar Generals Office (RGO) on issues related to electoral work and its responsibilities towards registration of voters, and the compilation of the voter's role, the RGO resisted the push for reforms from ZEC. ZEC also embarked on campaigns to inform citizens on process and logistical issues related to voting, elections centres, voting requirements in advance and so on.

A look at the SADC communiques since 2008 shows that the regional organisation shifted towards a more consolidated, concerted, emphatic and articulate push to ensure that the 2013 elections were free, fair and credible. Since the SADC meeting in 2011 to the SADC Troika for Politics, Defence and Security Cooperation of March 2013 SADC called for decisive implementation of political and electoral reforms, pushed for strengthening of JOMIC through

⁹⁴¹ Schedler, A.2002. The Menu of Manipulation, *Journal of Democracy*, 13(2) pp.36-50.

⁹⁴² Zamchiya, P and Chitanga, G. 2013. Countering Electoral Manipulation: Strengthening Zimbabwe's Chain of Democracy Choice. *Crisis in Zimbabwe Coalition*, Harare.



deployment or secondment of SADC officials, security sector sectors alignment with democratic ethos as reflected in its Charter and norms, a clean voter's role for both the 2013 constitution referendum and the subsequent elections. At the SADC special Summit of June 13 2013 SADC clearly emphatically pushed the Inclusive Government to introduce mechanisms to allow for credible elections in 2013, and a clear roadmap towards the 2013 elections, creation of an inter-ministerial committee to oversee media and other reforms, asked the President to directly security service chiefs to abide by constitutional provisions of their service which insulated their role from partisan politics. This robust approach affirms SADCs commitments to achieve political stability and democratic transition in Zimbabwe. Although ZANU PF pushed back, the persistence of SADC paved the way for electoral reforms, and more proactive role for ZEC which improved the conditions for the 2013 elections.

5.5.4 The Implementation of the GPA, and the Role of the Joint Monitoring Committee (JOMIC)

In line with Article XXII of the GPA, the SADC mediators created a multiparty panel called The Joint Monitoring and Implementation Committee (JOMIC) constituted by representatives of the three Parties in the IG. The JOMIC was launched on 30th of January 2009 and was dissolved in October 2013 following intense debate in the ZANU PF Politburo about extending it or turning it into an interparty dialogue platform.⁹⁴³ Although JOMIC was dissolved, some key players in the GPA preferred to extend the life of the JOMIC. All the three parties, ZANU PF, the MDCT and MDCM made representations to persuade ZANU PF to save JOMIC from collapsing by extending its tenure, turning it into the Zimbabwe Political Parties Dialogue (ZPPD) platform, creating space for the major political parties to continue dialogue.⁹⁴⁴ The three political parties sought to transfer some of JOMIC's responsibilities to a forum coordinated by s top officials of the three parties which were in the Inclusive Government to create the Secretary Generals' Platform, as a way of continuing its particularly its dialogue and monitoring of political violence.⁹⁴⁵

Although the activities of the JOMIC became contentious due to internal disagreement and counter-accusations over allegations of sponsoring political violence, JOMIC played an

⁹⁴³ The Zimbabwe Independent, ZANU PF dissolves Jomic, 11 October 2013, <https://www.theindependent.co.zw/2013/10/11/zanu-pf-dissolves-jomic/>, Viewed 3 October 2021.

⁹⁴⁴ The Zimbabwe Independent, ZANU PF dissolves Jomic, 11 October 2013, <https://www.theindependent.co.zw/2013/10/11/zanu-pf-dissolves-jomic/>, Viewed 3 October 2021.

⁹⁴⁵ VOA, Zimbabwe's JOMIC Finally Winds Down Operations, 1 October 2013, <https://www.voazimbabwe.com/>, Viewed 30 September 2021.



important role in mitigating intimidation and violence in communities. The MDC formations pushed for the representation of SADC mediators in JOMIC meetings to give it a bite. The JOMIC leadership wrote a letter to SADCs 2011 Maputo Summit asking for the secondment of SADC representatives in JOMIC meetings. On two occasions in April 2013, ZANU PF refused to allow the SADC mediating teams to sit in JOMIC meetings, insisting that the mediators would overstretch their mandate, interfering in internal national issues, undermining Zimbabwe's national sovereignty. The State-owned Herald, criticised JOMIC for changing its mandate from being a monitor of the unity agreement to becoming a national monitor, as well as seeking to illegally extend its life beyond that of the coalition government, demonstrating its influence and impact.

While transitologists do not discuss peace or conflict mechanisms, and political stability is crucial for democratic transition and democracy to take root. Equally, partisan violence and political instability were symptomatic of the Zimbabwe intrastate democratization conflict. Where orthodox consociationalism has focussed on top-heavy elite political pacts, JOMIC created conflict-busting and monitoring mechanisms chaired by political heavy weights from the three parties in the GPA, but its strictures filtered to the lowest party structures from the national level to provinces, districts and wards in structures which brought together the members of the three main parties. Fundamentally, against calls for external monitoring to the implementation of the GPA, JOMIC constituted domestic home grown and led institution, which broadly dealt with issues of political violence and violations to the GPA, improving social and political relations amongst political party elites and their supporters from the top to the lowest level of political party structures.

Although the goal of the JOMIC to ensure the full implementation of the power-sharing agreement based on the GPA,⁹⁴⁶ was not realised, it played an important role in monitoring and defusing political violence. As stated in the GPA, the main role of JOMIC was "to assess the implementation of the GPA from time to time, consider steps which might need to be taken to ensure the speedy and full implementation of the Agreement in its entirety. JOMIC was also assigned with receiving reports and complaints in respect of any issue related to the implementation, enforcement and execution of the agreement. Furthermore, JOMIC sought to serve as catalyst in creating and promoting an atmosphere of mutual trust and understanding between the parties by promoting continuing dialogue between the parties.⁹⁴⁷ The character and calibre of the leaders, who were deployed to lead JOMIC across the rank and file of the

⁹⁴⁶ The Herald, Zimbabwe, JOMIC Reports Expose the MDC, 10 August 2013, Viewed 10 October 2021.

⁹⁴⁷ The Herald, Zimbabwe, JOMIC Reports Expose the MDC, 10 August 2013, Viewed 10 October 2021.



three parties in the IG, shows that all parties took JOMIC seriously as one of the most important institutions to be created under the IG. ZANU PF was represented by some of its most senior and powerful political actors, Nicholas Goche (co-chairperson), Patrick Chinamasa, Emmerson Mnangagwa, Oppah Muchinguri, while the MDCT was represented by Elton Mangoma (co-chairperson), Elias Mudzuri, Tabita Khumalo, Innocent Changonda, and finally the MDCM was represented by Welshman Ncube (co-chairperson), Frank Chamunorwa, Edward Mkhosi, and Priscilla Misihairambwi-Mushonga.

JOMIC riled both MDCT and ZANU PF compiling reports critical of violent political mobilisation perpetrated by the two main political parties. In May 2012, JOMIC denounced Chipangano, a ZANU PF-run gang of perpetrators of political violence.⁹⁴⁸ In May 2011, JOMIC intervened after a family was chased from home by ZANU PF activists.⁹⁴⁹ JOMIC was also involved in observing the 2013 elections, compiling important reports on the electoral process. Although the MDCT, rejected and disputed the outcome of the 2013 elections, the Herald reported that information gleaned from JOMIC reports showed that the MDCT had viewed the electoral process as free and fair. JOMIC deployed 30 000 election observers, divided in the 10 provinces of the country, 10 apiece the three main parties in the IG, and compiled elections reports covering the 2013 elections from national to district level,⁹⁵⁰ and provided the largest election observer mission for the 2013 elections,⁹⁵¹ ensuring that a home-grown domestic institution constituting the main contesting parties was involved in observing their own election competition.

In spite of suggestions that JOMIC failed on its primary mandate to ensure that the three parties to the GPA fully implemented the SADC mediated agreement, because it was compromised, flawed and indecisive,⁹⁵² it was by far the most visible institution addressing issues of political violence and intimidation which impinged on the citizen participation and expression of the free will of the people in elections. Further criticism that JOMIC was not backed by any specific laws, and that, by including the major three parties in its composition, it excluded major civil society stakeholders and traditional authorities in conflict management to terminate the

⁹⁴⁸ The Herald, Zimbabwe, GPA Parties Disown Chipangano, 28 May 2012, <https://www.herald.co.zw/>, Viewed 25 October 2021.

⁹⁴⁹ The Zimbabwean, MDC family in hiding, JOMIC intervenes, 5 December 2011, <https://www.thezimbabwean.co/2011/12/05/mdc-family-in-hiding-jomic-intervenes/>, Viewed 25 October 2021.

⁹⁵⁰ The Herald, Zimbabwe, JOMIC Reports Expose the MDC, 10 August 2013, Viewed 10 October 2021.

⁹⁵¹ The Herald, Zimbabwe, JOMIC Reports Expose the MDC, 10 August 2013, Viewed 10 October 2021.

⁹⁵² Togarirofa, J. and Tobias, D. 2017. In the Shadow of the Global Political Agreement (GPA): An Exegesis of the Role of the Joint Monitoring and Implementation Committee (JOMIC) as an Instrument of Conflict Management in Zimbabwe, International Journal of Politics and Good Governance Volume VIII, No. 8.1, pp. 1-21.



Zimbabwe crisis,⁹⁵³ overlook the structure of JOMIC which included diverse communities at all levels. Admittedly, JOMIC may have lacked the merit, integrity, efficiency and objectivity of International Monitoring Institutions based on international standards.⁹⁵⁴ The dominance of the three political parties in JOMIC structures and proceedings may have constrained its transparency, while its outputs did not show much usefulness for the SADC guarantors of the GPA and other Zimbabwean stakeholders.⁹⁵⁵ However, resulting from SADC diplomacy, JOMIC demonstrated the willingness, commitment and ability of domestic agency in enhancing participatory capacity in stemming conflict, and creating conducive environment for democratic transition.

5.6 Exiting the Inclusive Government: The 2013 Elections and Democratic Transition in Zimbabwe

The 2013 elections were peaceful although the outcome was non-consensual since the opposition MDCT disputed the results.⁹⁵⁶ Given that the SADC mediation was necessitated due to the intrastate democratization conflict which culminated in a violent electoral deadlock in 2008, the 2013 elections were fundamental to Zimbabwe's transition to democracy. The 2013 elections were held on the 31st of July 2013 to exit the IG, which was in office for five years. Although the GPA called for elections in two years after the completion of the constitutional reform process, the elections only came in five years with the consent of the three main parties in the IG, meaning that the 2013 elections were held and regulated under the SADC mediated GPA and the new constitution approved during the referendum held in March 2013, and signed into law by President Mugabe on 22 May 2013.⁹⁵⁷ The elections were passed as free and peaceful by SADC and the African Union but disputed by both Movement for Democratic Change formations and the western countries.⁹⁵⁸ As much as there infractions

⁹⁵³ Togarirofa, J. and Tobias, D. 2017. In the Shadow of the Global Political Agreement (GPA): An Exegesis of the Role of the Joint Monitoring and Implementation Committee (JOMIC) as an Instrument of Conflict Management in Zimbabwe, *International Journal of Politics and Good Governance* Volume VIII, No. 8.1, pp. 1-21.

⁹⁵⁴ Aeby, M. 2021. Building Peace among Monitors? The Monitoring and Implementation of Zimbabwe's Global Political Agreement, *Journal of Southern African Studies*, Volume 47, Issue 4, pp. 683-702

⁹⁵⁵ Aeby, M. 2021. Building Peace among Monitors? The Monitoring and Implementation of Zimbabwe's Global Political Agreement, *Journal of Southern African Studies*, Volume 47, Issue 4, pp. 683-702

⁹⁵⁶ Gerenge, R. 2014. The 2013 Elections in Kenya and Zimbabwe: Lessons for Africa and Beyond, Policy Briefing 98, The Governance and APRM Programme, <https://media.africaportal.org/>, Viewed 20 September 2021.

⁹⁵⁷ Al Jazeera, "Zimbabwe's Mugabe signs new constitution – Africa", 22 April 2013, <https://www.aljazeera.com/news/>, Viewed 20 September 2021.

⁹⁵⁸ Raftopoulos, B. 2013. The 2013 Elections in Zimbabwe: The End of an Era, *Journal of Southern African Studies*, Volume 39, 2013 - Issue 4: Politics, Patronage and Violence in Zimbabwe, pp. 971-988.



and problems with the process leading to the 2013 election, such process and administrative problems were not the only reasons which determined ZANU(PF)'S 'victory'.⁹⁵⁹

After losing the 2008 elections, ZANU PFs focus in the IG was to rebuild its base, to assert and consolidate its hold on state power. ZANU PF made sure to assert its agenda in the IG ensuring that both the GPA and the new constitution stated its flagship land reform programme was explicitly stated as irreversible. While in the IG, ZANU PF ran a parallel campaign and narrative of land reform, indigenisation of the economy and empowerment vested in pan-African nationalist rhetoric, while solely controlled the sale of diamonds from Marange which helped to build its campaign chest.⁹⁶⁰ Furthermore, by vociferously preaching peace, Mugabe and ZANU PF rebranded as peaceful progressive former liberation movement ready to stir Zimbabwe towards peace and stability. ZANU PF ran a long campaign to capture majority votes in the 2013 election which Mugabe branded a do or die election, starting its campaign well before the 2013 referendum, running into the electoral season, catching the MDC formations totally unprepared. Drawing from patriotic history, the land reform and pledging to empower the majority of poor Zimbabweans, Mugabe and ZANU PF ran a slick well-funded and well-oiled campaign, which resonated largely with the rural social base, and some urban constituencies, over-shadowing the MDC formations, hence winning the two thirds majority. Furthermore, Mugabe committed to redeeming himself from the humiliating loss to the MDCT and Morgan Tsvangirai which he took personally as unacceptable, hence he told his supporters that he was going to fight like a wounded lion to win and retain power in the 2013 elections.⁹⁶¹

The 2013 elections were held under a veil of on-going disputes about the dates of the elections, as the MDC formations believed that the dates of the elections would be negotiated and agreed by within the IG following the implementation of political reforms and alignment of the new constitution with national laws. However, the elections were triggered by an appeal to the Zimbabwean courts by a citizen, Jealousy Mawarire, with alleged links to ZANU PF who sued Mugabe to call for elections in order to grant citizens the right to choose their legitimate leaders and government, and to end the tenure of the SADC mediated and negotiated IG. The Supreme Court ruled on 31 May that President Mugabe should set a date as soon as possible,

⁹⁵⁹ Raftopoulos, B. 2013. The 2013 Elections in Zimbabwe: The End of an Era, *Journal of Southern African Studies*, Volume 39, 2013 - Issue 4: Politics, Patronage and Violence in Zimbabwe, pp. 971-988.

⁹⁶⁰ Magure, B. 2014. Land, indigenisation and empowerment - narratives that made a difference in Zimbabwe's 2013 elections, *Journal of African Elections*, Vol. 13, No. 2.

⁹⁶¹ Tendi, B. 2013. Robert Mugabe's 2013 Presidential Election Campaign, *Journal of Southern African Studies*.
Volume 39, Issue 4: Politics, Patronage and Violence in Zimbabwe, pp. 963-970.



allowing presidential and parliamentary elections to be held by 31 July 2013. The court outcome allowed Mugabe to declare 31 July 2013 as the date for elections,⁹⁶² a move which suddenly plunged the country into election mode. Although the MDCT and MDC eventually participated in the elections, it took the intervention of President Zuma and the SADC, through the SADC Summit in Mozambique to push the parties to agree to participate in the 2013 elections. The 2013 elections were won by ZANU PF which shockingly grabbed a two thirds majority with 62% of the vote, and 196 seats.⁹⁶³ Morgan Tsvangirai dropped to 34% of the vote with 70 parliamentary seats, down from the majority held by the MDCT in 2008. Based on these results, Mugabe exclusively appointed a ZANU PF cabinet, taking charge of government with a new five-year mandate,⁹⁶⁴ as the MDCT rejected the election outcome, calling it a farce. Like previous Zimbabwe elections, the 2013 election process while widely slated by Western public officials and media, private media and NGOs in Zimbabwe as fraudulent,⁹⁶⁵ a farce,⁹⁶⁶ dubious.⁹⁶⁷ Critics of ZANU PF and the electoral process suggested that the ZEC had turned away 305 000 potential voters,⁹⁶⁸ suggesting that ZANU FP, which retained the control of the electoral machinery had rigged the elections outcome.

The AU, SADC and African countries passed the elections as free, fair, honest and legitimate.⁹⁶⁹ Arguably, the elections infractions pointed out by the opposition and the critics of the 2013 electoral process are common even in developed democracies. Compared to previous elections, the 2013 elections prevailed under conditions of unprecedented political stability by Zimbabwean experiences of political violence. There was admission across the political divide that the elections were peaceful, with minimal cases of political violence. In spite of intense domestic posturing between the MDC formations and ZANU PF, and arguments about the administration of the electoral process much of the required political reforms were included in the 2013 constitution, although its impact was minimised by the failure to align the

⁹⁶²Abcnews, "Zimbabwe President Robert Mugabe Officially Proclaims New Election Date of July 31". <https://abcnews.go.com/International/wireStory/>, Viewed 20 September 2021.

⁹⁶³ Bbc.com, Zimbabwe President Mugabe re-elected amid fraud claims, 3 August 2013, [Zimbabwe President Mugabe re-elected amid fraud claims - BBC News](https://www.bbc.com/news/world-africa-23563029), Viewed 20 September 2021.

⁹⁶⁴ The Herald, Zimbabwe, Zimbabwe: President Mugabe Appoints New Cabinet, 10 September 2013, [Zimbabwe: President Mugabe Appoints New Cabinet - allAfrica.com](https://www.theherald.co.zw/news/zimbabwe-president-mugabe-appoints-new-cabinet), Viewed 20 September 2021

⁹⁶⁵ Bbc.com, Zimbabwe President Mugabe re-elected amid fraud claims, 3 August 2013, <https://www.bbc.com/news/world-africa-23563029>, Viewed 30 September 2021.

⁹⁶⁶ BBC News, Zimbabwe election was huge farce – Morgan Tsvangirai", 1 August 2013, <https://www.bbc.com/news/world-africa-23530095>, Viewed 20 September 2021.

⁹⁶⁷ The Economist, Stealing the vim from Zim: Robert Mugabe claims another dubious victory at the polls, 10 August 2013, Viewed 20 September 2013.

⁹⁶⁸ Bbc.com, Zimbabwe Electoral Commission: 305,000 Voters Turned Away, 8 August 2013, <https://www.bbc.com/news/world-africa-23618743>, Viewed 20 September 2021.

⁹⁶⁹ BBC, "Zimbabwe poll was 'free, honest and credible' – African Union". 2 August 2013, <https://www.bbc.com/news/world-africa-23546050>, Viewed 20 September 2021.



new constitution with prevailing laws before the elections. Viewing the role of the SADC mediation as mitigating conflict and facilitating peaceful and democratic political competition, the regional board did not much have leverage to stop the elections once the political parties and their leaders agreed on the dates of the elections. Secondly, the SADC had minimal leverage, in any to stop a process which was triggered through the legal process and laws of Zimbabwe without being accused of undermining the constitution and laws of Zimbabwe. Mugabe was eloquently clear to SADC, as he threatened that any violation of the Zimbabwean laws by SADC would push his government, or at least, his side of government out of the SADC.

The shocking ZANU PF victory is down to domestic political competition within the context of the IG. The MDCT was especially caught flat-footed,⁹⁷⁰ in the face of its short comings within the IG and as a party.⁹⁷¹ The MDC formations focussed on maximising their achievements in government to assert their credentials as a mature governing party, to claim previously shaky domestic, regional and international governing credentials and legitimacy under the IG. In doing so, the MDCT formations the MDC neglected their party structures and demoralised their supporters as their record in government was not assuring. The MDC formations were susceptible to equalisation with ZANU PF in terms of the failures of the IG, particularly over corruption in local government which they solely dominated and general political elite accumulation which characterised ZANU PF rule for more than four decades, while the achievements could totally be credited to them. As a governing party in the IG, the MDC formations could not engage, connect and rally their supporters based on protest mobilisation as they did while in opposition, while convincing policy delivery proved largely lurk worm, partly because of inexperience, partly because of negative politicking in competition with ZANU PF which derailed much of the MDC formations policy and ideological goals.

In spite of perennial problems experienced with elections in Zimbabwe in particular, Africa and the world in general, elections are viewed as the sine qua non of democracy, especially in consideration of democratization in Africa's 'third wave' of democracy.⁹⁷² Elections play an important role in democratic competitive politics as they create room for direct political participation, political party and elite competition and elite and political party succession in a democratic system. Accordingly, elections are important for democratic participation,

⁹⁷⁰ Moore, D.2014. Death or Dearth of Democracy in Zimbabwe? Africa Spectrum, Vol 49, Issue 1, pp. 28-35.

⁹⁷¹ Gallagher, J. 2015. The battle for Zimbabwe in 2013: From Polarisation to Ambivalence, The Journal of Modern African Studies, Volume 53 Issue 1, pp. 27-49.

⁹⁷² Lindberg, S.2006. Democracy and Elections, in S. Lindberg (ed.), Democratization by Elections: A new Mode of Transition? Johns Hopkins University Press, Baltimore.

competition, and democratic legitimate government.⁹⁷³ Free and fair, democratic and legitimate elections should therefore empower ordinary citizens to choose among contestants' political parties and elites.

Most post 2013 Zimbabwe elections studies use the resultant disputes over the 2013 election outcomes as a yardstick for the Zimbabwe's transition to democracy, and the SADC mediation. According to the GPA, Zimbabwe was supposed to hold elections within two years after the completion of the constitution reform process to exit the IG, and return the country to a legitimately elected government following free and fair elections. However, the 2013 elections only came five years since the formation of the IG, with all the three parties consenting to a full tenure of the IG to defuse polarising violent electoral tensions between the parties.

Within a year of institutionalising the GPA and the IG, Zimbabwe became comparatively relatively stable, and realised remarkably diminishing political violence. By consenting to defer elections for twelve months, as stated in the GPA, allowing each party to the GPA to internally appoint a replacement to fill local government and Legislative vacancies based on intraparty democracy, parties to the IG defused previously pervasive partisan violence. Although the 2013 constitution referendum looked much like an election rehearsal, the process and outcome witnessed lesser partisan violence, laying the foundation for peaceful elections in 2013.

Although the 2013 elections were by far peaceful than any election held before it, many scholars suggest it failed on other democratic transition fundamentals. The violence and other ZANU PF electoral shenanigans which sullied the 2008 elections resulting in election deadlock are concisely discussed by Masunungure.⁹⁷⁴ There are suggestions that during the tenure of the IG, ZANU PF continuously undermined the principles of democracy, subverted the electoral process and exclusively controlled the Zimbabwe Electoral Commission, while the Government of National Unity failed to institute and implement media and political reforms hence the 2013 elections failed the test of peaceful, free and fair, credible and legitimate elections.⁹⁷⁵ While the 2008 violent electoral deadlock indicated a precipice in Zimbabwe's violent electoral deadlock, the country equally faced historical systemic political and electoral problems which required broader political reforms along with immediate short term reforms.

⁹⁷³ Lindberg, S. 2004. 'The democratic qualities of multiparty elections: participation, competition and legitimacy in Africa', *Commonwealth and Comparative Politics* 42, 1, pp. 61–105.

⁹⁷⁴ Masunungure, E.V. 2009. *Defying the winds of change: Zimbabwe's 2008 elections*, Harare, Weaver Press.

⁹⁷⁵ Hove, M. and Harris, G. 2015. Free and Fair Elections: Mugabe and the Challenges Facing Elections in Zimbabwe, *International Journal of Human Rights and Constitutional Studies*, Vol. 3, No. 2, pp. 157-170.

5.7 Conclusion

The SADC-mediated Inclusive Government introduced a raft of political reforms which resulted in political stability while setting Zimbabwe on a democratic transition path. Although the reforms were internally contested by the major political parties, political competition shifted from partisan coercive violence to cooperative dialogue, negotiations and compromises, leading to the formation of the Inclusive Government. The Inclusive Government introduced media reforms, political reforms which enhanced the protection of civil liberties, introduced various institutions to address broader political challenges, and more importantly, in 2013, managed to complete a new constitution. Although the 2013 elections to exit the Inclusive Government were disputed, they were the most peaceful electoral competition in Zimbabwe. The SADC mediation successfully fostered political stability and realised crucial milestones which set Zimbabwe from intractable conflict to a democratic path between 2008 and 2013.



CHAPTER 6: SADC MEDIATION: THE ROLE AND IMPACT OF PAN- AFRICAN REGIONAL DIPLOMACY ON POLITICAL REFORM, STABILITY AND DEMOCRATIC TRANSITION

6.1 Introduction

This research examines the role and impact of the SADC mediation as pan African diplomacy in resolving the Zimbabwe crisis. The research traces the path taken by the SADC diplomacy and its impact on the Zimbabwe intrastate democratization conflict. Given that the SADC mediation, took place within a domestically and internationally polarised environment, this chapter discusses SADC diplomacy, highlighting its form, style and approaches to the Zimbabwe conflict, and emphasising its role and impact on the conflict. The SADC mediation typified robust regional diplomacy, which achieved remarkable democratic transition and political stability dividends in Zimbabwe. The literature and public commentary on the SADC mediation focusses on its limitations without considering the essence, efficacy of the emerging regional diplomacy and its transformative impact on the Zimbabwe conflict and political reforms foundational to democratic transition and political stability. Critics of the SADC mediation tend to understate, overlook or undermine the basic inherent tenets, features, characteristics, qualities and achievements of SADCs pan-African regional diplomacy as applied to resolve the Zimbabwe crisis. Arguably, the SADC applied delicate, gradual, but successful diplomacy to broker a political settlement, ending polarising partisan political violence through persistent interparty negotiations and dialogue which achieved political stability and reforms, a new constitution, and comparatively peaceful elections in 2013 under the Inclusive Government. The SADC mediation allowed Zimbabwe to enjoy unprecedented socio-economic and political stability following a crisis-ridden decade characterised by socio-economic decline and political violence.

6.2 Beyond Coercive Diplomacy and Neo-Liberal Democratic Interventionism: SADC's Search for Dialogue in Zimbabwe

Regional mediation in Zimbabwe was conducted in one of the most internationally and domestically polarised contested conflicts between the ZANU PF government and the opposition MDC formations, the SADC, AU, many Africans,⁹⁷⁶ and the West, drawing in

⁹⁷⁶ Africanews, Highlights of Mugabe's love-hate affair with the West, 8 September 2019, <https://www.africanews.com/2019/09/08/highlights-of-mugabe-s-love-hate-affair-with-the-west//>, Viewed 20 October 2021.



multiple actors with multiple interests.⁹⁷⁷ The intrastate democratization conflict in Zimbabwe was defined by its polarised internationalisation on one end, and partisan, protracted, mutually hostile and divided domestic politics on other. Mugabe and ZANU PF heavily criticised what they viewed as Western duplicity exercised through sanctions, tough criticism, ostracization and demonization over human rights issues and direct material and moral support for the opposition bend on instigating regime change in Zimbabwe.⁹⁷⁸ By locating the Zimbabwe crisis within an anti-imperialist discourse, in recognition of the concomitant vagaries it represented to self-determination and national sovereignty, and whipping up pan African sentiments, particularly around land reform, ZANU PF raised resonant issues about problematic historical injustices and the need for redress in the SADC region and many African countries,⁹⁷⁹ to insulate brutal authoritarian rule in Zimbabwe.

The SADC mediation was caught between taking principled positions influenced by historically shared colonial and post-colonial experiences in solidarity with ZANU PF, and supporting liberal democratic norms exclusively, but simplistically backed by the West. Accordingly, SADC embarked on diplomacy which recognised both challenges as part of simultaneous problems of post-colonial state formation and ZANU PF excesses characterised by exclusionary nation building and oppressive politics, hence they pushed for domestic inclusive dialogue and political settlement.

Since 2000, the united MDC had embarked on Western lobby which converged with Western ostracization of Zimbabwe and demonization of Mugabe until 2008, calling for the imposition of Western sanctions. However, from its 2006 Conference, the MDCT adopted a solution to the Zimbabwe crisis centred on the SADC mediation, recognising the imperative role of African regional institutions to sponsor home grown solutions to domestic conflicts in member states. The MDCT embarked on regional diplomacy to engage SADC, seeking the audience of regional leaders in ending the Zimbabwe crisis, shifting its posture from seeking the West, thus building an Afro-centred alliance in pushing Mugabe towards political reforms. Although the MDC formations did not gain much traction in forging solidarity and alliances with African governments, the SADC mediation and the formation of the Inclusive government legitimised the former opposition as an important player in resolving the Zimbabwe crisis, and persuaded

⁹⁷⁷ Masunungure, V. 2010. The Internationalisation of the Zimbabwe Crisis, Multiple Actors, Competing Interests, *Journal of Developing Societies*, 26(2), pg.207-231.

⁹⁷⁸ Masunungure, V. 2010. The Internationalisation of the Zimbabwe Crisis, Multiple Actors, Competing Interests, *Journal of Developing Societies*, 26(2), pg.207-231.

⁹⁷⁹ Phimister, I and Raftopoulos, B. 2004. Mugabe, Mbeki and the Politics of Anti-Imperialism, *Review of African Political Economy*, Vol. 31, No. 101, *An African Scramble?*, pp. 385-400.



the West that ZANU PF remained a critical player in forging much needed political stability to pave the way for peaceful democratic installation in Zimbabwe.

The tough Western posture towards Zimbabwe since 2000 proved futile and ineffective.⁹⁸⁰ The UK, whose diplomatic relations with Zimbabwe broke down since 2000,⁹⁸¹ called for military invasion of Zimbabwe, with former British Premier, Tony Blair, sounding South Africa over the initiative.⁹⁸² A collaborative Western alliance hostile to the ZANU PF government emerged from 2000 to 2008, ostensibly to protect human rights, civil liberties and democracy in Zimbabwe, connecting with the MDC formations, domestic and international civil society, creating an anti-ZANU PF regime buffer. This alliance and its networks invoked the Responsibility to Protect (RP2) to rally for tougher international action on the ZANU PF government.⁹⁸³ However, the politicisation of this noble norm, and the associated politically intrusive practicalities associated with liberal humanitarian interventions as effected particularly by the Western powers undermined its efficacy within SADC.⁹⁸⁴ Neo-liberal interventionism to protect democracy and for humanitarian purposes was viewed with suspicion, and tended to aggravate domestic hostilities between the Zimbabwean conflict protagonists.

The West exerted intense pressure on the SADC to act tough against the ZANU PF government, imposed (smart) sanctions by 2002, shifted multilateral and bilateral support from development aid, redirecting it towards democracy and good governance programs, exposing many Zimbabweans who had relied on donor aid to aggravated poverty, as the sanctioned government of Zimbabwe faced hyper-inflation and insolvency in the face of constrained multilateral borrowing from the international markets. The West further embarked on hostile demonization and ostracization, putting political stability and democratic installation in Zimbabwe in jeopardy. By exclusively blaming Mugabe and ZANU PF for the Zimbabwe crisis, while wholly or partly rejecting responsibility towards the land reform, a major issue in the Zimbabwe crisis, as well as a broader re-look at historical colonial injustices which denominated the Zimbabwe crisis, the West became complicity to the Zimbabwe conflict.

⁹⁸⁰ Mlambo, A.S., 2006. The Zimbabwean crisis and international response. *Journal for Contemporary History*, 31(2), pp.54-77.

⁹⁸¹ Chigora, P. 2006. On Crossroads: Reflections on Zimbabwe's Relations with Britain at the New Millennium, *Alternatives, Turkish Journal of International Relations*, Vol.5, No.3, pg.61-76.

⁹⁸² Mailonline, How Blair 'plotted to topple Mugabe by invading Zimbabwe', 27 November 2013, <https://www.dailymail.co.uk/news/article-2514557>, Viewed 20 October 2021.

⁹⁸³ Dzimiri, P. 2017. African Multilateral Responses to the Crisis in Zimbabwe, *A Responsibility to Protect, Strategic Review for Southern Africa*, Vol. 39, No.2, pg.50-77.

⁹⁸⁴ Dzimiri, P. 2017. African Multilateral Responses to the Crisis in Zimbabwe, *A Responsibility to Protect, Strategic Review for Southern Africa*, Vol. 39, No.2, pg.50-77.



Western support towards the MDC formations and liberal democratic NGOs made the West a part to the conflict aligned to the opposition.

Countries from the Global North, especially the USA, the UK, the Commonwealth countries from the Global North, the EU, and their allies were heavily involved in coordinated imposition of Western sanctions and demonising advocacy against the ZANU PF government, feeding into international polarisation which domestically played out as violent conflict between ZANU PF and the MDC formations. It also shifted the Zimbabwe conflict dynamics from a domestic conflict, rendering it international conflict dimensions as a diplomatic tiff between the ZANU PF government and the West, detracting from the critical domestic issues centred on political stability and democratic installation in Zimbabwe. Furthermore, it undermined Western leverage to influence political stability and democratic transition in Zimbabwe, as the West was drawn as part to the violent conflict obtaining in the country.⁹⁸⁵

Although the SADC embarked on direct official mediation in 2007, and later in 2008 to 2013, this process built on patient behind the scenes diplomacy which was initiated by South Africa since 2000, culminating in reported talks between ZANU PF and the MDC since 2003.⁹⁸⁶ As discussed, the SADC mediation was built on the back of nearly 7 years of dialogue between South Africa and Zimbabwe over the land reform process, issues of human and property rights, the need to resolve successive disputes over election outcomes, end political violence and arrest economic decline.

The SADC mediation proceeded in typical-type of diplomacy, as a process and not an event. By 2003, such bilateral diplomacy had shifted into a multilateral approach to include Mbeki, Muluzi, Obasanjo in persuading Mugabe and Tsvangirai to end their hostilities by forming a unity government.⁹⁸⁷ South Africa also escalated its diplomatic engagement through quiet-diplomacy. Responding to a question in Parliament in 2004, the South African Minister of Foreign Affairs reported that the South African Government has been engaging constantly the Zimbabwean government and the MDC to contribute to finding an acceptable and sustainable

⁹⁸⁵ Mlambo, A.S., 2006. The Zimbabwean crisis and international response. *Journal for Contemporary History*, 31(2), pp.54-77.

⁹⁸⁶ Department of International Relations and Cooperation (SA), Presidents Mbeki, Obasanjo and Muluzi to Visit Harare, Zimbabwe on Monday, 5th May 2003, <http://www.dirco.gov.za/docs/2003/zim0502.htm>, Viewed on 20 October 2021.

⁹⁸⁷ Polity, Mbeki, Obasanjo, Muluzi in big Zimbabwe push, 5 May 2003, <https://www.polity.org.za/article> Viewed on 21 October 2021.



solution to their challenges, through bilateral means, the AU and SADC.⁹⁸⁸ He further stated that South Africa held separate meetings with the government of Zimbabwe and the MDC. In June and September 2004 Mbeki met with an MDC delegation led by the party's Vice-President, Gibson Sibanda, before he met Mugabe in September in New York. Mbeki followed these initiatives by meeting an MDC delegation led by Tsvangirai. As suggested by the Minister, all these meetings held discussions centred on developments in Zimbabwe, with specific reference to the elections scheduled for March 2005⁹⁸⁹ (and broader issues related to political reforms). Although the domestic political protagonists in Zimbabwe rejected suggestions that talks were on-going, Mbeki continued to insist that the conflict parties were talking.⁹⁹⁰ Although these talks did not realise an immediate political settlement, they set off a process of dialogue and negotiations which was consolidated in 2007 and in 2008 as interparty dialogue between ZANU PF and the MDC formations.

In spite of intense Western pressure, and the combined domestic lobby from the opposition MDC formations and civil society with its international networks, the SADC mediation had evolved as the only game to end the Zimbabwe conflict. By formally adopting the South Africa led mediation as its approach of choice, and a norm in settling conflict within member states, SADC asserted its autonomous agency in driving the Zimbabwe dialogue, in spite of intense external pressure, including threats of cutting donor aid directed towards some SADC member countries. African countries and the SADC region rejected Western coercive diplomacy towards Zimbabwe, to work within the SADC mediation framework with the support of the AU to achieve a peaceful political settlement.

The SADC took a different approach towards resolving the conflict in Zimbabwe, emphasising patient dialogue with Mugabe, ZANU PF and later, between the conflict protagonists in Zimbabwe, ZANU PF and the MDC formations, instead of coercive diplomacy characterised by demonisation, mutually hostile criticism, ostracization and sanctions which the regional organization deemed counter-productive. Through SADC mediated interparty dialogue Zimbabwe achieved political reforms introduced in the run-up to the 2008 elections, which, to a large extent improved the elections environment, allowing the MDCT to officially win in any

⁹⁸⁸ International Relations and Cooperation, News and Events (SA) South African Government Facilitation of Talks between ZANU-PF and the MDC, 3 November 2004, <http://www.dirco.gov.za/docs/2004pq/pq114.htm>, Viewed 23 October 2021.

⁹⁸⁹ International Relations and Cooperation, News and Events (SA) South African Government Facilitation of Talks between ZANU-PF and the MDC, 3 November 2004, <http://www.dirco.gov.za/docs/2004pq/pq114.htm>, Viewed 23 October 2021.

⁹⁹⁰ IRIN, Zimbabwe: Tsvangirai Denies Reports of ZANU-PF - MDC Talks, 9 July 2003, <https://allafrica.com/stories/200307090400.html>, viewed 10 December 2021.



elections since 2000, beating both ZANU PF and its Presidential candidate Robert Mugabe. Although historically unprecedented election violence erupted in 2008, leading to the reversal or blocking of the 2008 election outcomes, the SADC mediation continued its diplomacy through interparty dialogue, culminating in the GPA political settlement of 2008, and the formation of the Inclusive Government, facilitated the writing of a new constitution, instituted comprehensive political reforms, and restored economic stability, returning Zimbabwe towards a path of peaceful negotiated democratic transition.

6.3 Phases and Dynamics of the SADC Mediation in Zimbabwe, 2007-2008

The SADC mediation in Zimbabwe took place in two stages, and it build up on the quiet-diplomacy which was led by South Africa since 2000. Therefore, quiet-diplomacy, which in much of the literature on SADC mediation is excluded if not criticised for failing to provide solutions to the Zimbabwe crisis, invested a lot more resources in building bridges and creating some common denominators between the conflict parties and the sub-region through talk about talks until 2007. Talks about talks are important in diplomacy because they allow all the involved parties to explore their issues, identify points of conflict, non-negotiables and exit points out of the conflict. Unsurprisingly, within weeks of the 2007 formal SADC mediation, ZANU PF and the MDC formations had agreed on solving the Zimbabwe crisis through constitutional reform, hence the sponsored the interparty negotiations which birthed the Kariba constitution. This phase of negotiations also fostered much needed interparty dialogue and direct negotiations between the conflict parties which was realised since 2007 as the main, if not the only way out of the Zimbabwe crisis.

Thus, the 2007 and 2008-2013 SADC mediations were a consolidation of quiet-diplomacy and regional mediation as norm and strategy of choice by the SADC in resolving the Zimbabwean intrastate democratization conflict. Accordingly, in March 2007 the SADC Summit mandated President Mbeki to “facilitate dialogue between the opposition and government” following an international outcry over a police crackdown on opposition activists in Zimbabwe. Although this phase of the mediation focussed on furthering regional and domestic goals to end the Zimbabwe crisis through dialogue and negotiations, its main exit strategy was the interparty constitutional reforms of what became known as the Kariba constitution. In the run-up to the 2008 elections, the Kariba negotiations were overtaken by events, although at the time elections were held, the three negotiating parties had agreed on a new constitution, the Kariba constitution draft.



The sudden announcement of dates for the 2008 elections, in which President Mugabe controversially elected to stand as the ZANU PF Presidential candidate, disregarding voices for him to pave way for a new, possibly younger candidate to signal change from within ZANU PF raised the stakes, and drew political party concerns to much needed electoral reforms. The sudden call for elections to be held in 2008 eventuated what can be structured into a three phase approach of the SADC mediation: the Kariba interparty negotiations, (2007 to 2008), and the two later phases: the 2008-2009 negotiations towards the GPA political settlement and formation of Inclusive Government (2008-2009), and the negotiations over the implementation of the GPA political settlement during the tenure of the Inclusive Government (2009-2013) writing of a new constitution, political reforms and improved conditions for the 2013 elections. While these phases are broken down here for simplicity, their related processes were delicate, complex and overlapped, feeding into each other to shift the Zimbabwe conflict, creating conditions for democratic installation and political stability.

To bridge these concerns which emerged due to the sudden calling for elections in 2008, particularly raised by the MDCT, Mbeki persuaded the conflict parties to introduce electoral reforms, which were urgently pushed through Parliament to improve election conditions and environment. The Parliament of Zimbabwe passed Constitutional amendment No. 18, and No. 19 to reform the Zimbabwe electoral processes and institutions in the run-up to the 2008 elections. Admittedly, these reforms may have not been comprehensive enough, but SADC successfully pushed these reforms, and as evidenced by the results of the first round of the 2008 elections, largely levelled both the electoral conditions and environment to a manageable level.

The second phase of the SADC mediation started after the March 2008 outbreak of electoral violence resulting from the disputed 2008 elections deadlock, which eventuated a regionally mediated political settlement and the Inclusive Government of 2009-2013. However, the pre 2007 engagements between ZANU PF and the ANC, including government to government engagements, and later the inclusion of Obasanjo and Muluzi in 2005 to broker a Zimbabwe deal laid a strong foundation for a regional diplomatic push for a political settlement.⁹⁹¹ While the initial phase of exploratory talks suggested talk of "transitional governments" as advanced by the MDC and its international backers, and "exit plans" for Mugabe, a position backed by much of the Western international community, regional diplomacy focussed on "inclusive

⁹⁹¹ Polity, Mbeki, Obasanjo, Muluzi in big Zimbabwe push, <https://www.polity.org.za/article/mbeki-obasanjo-muluzi-in-big-zimbabwe-push,5> April 2003, Viewed 20 December 2020.



government," between ZANU PF and the MDC.⁹⁹² In spite of growing intra-party factionalism within both ZANU PF and the MDC, it was evident that Mugabe and Tsvangirai retained near hegemonic control of their parties, hence, since 2007, SADC sought an inclusive political settlement and government between these leaders and their political parties as representing the most legitimate exit out of the Zimbabwe crisis.

Although the SADC mediation proper started in March 2007, quiet-diplomacy, as applied by Mbeki, was its anchor in seeking a long-term solution to the Zimbabwe crisis since 2000. The appointment of South Africa, under Mbeki to lead the SADC mediation in March 2007, marked a fundamental shift from a bilateral approach to a multilateral regional approach combining the regional norm to utilise political leaders and individual countries appointed as mediators to exert their leverage within a regional diplomatic framework rooted in historical relations based on consensual solutions, while allowing SADC as a collective entity to multilaterally consent, endorse, adopt and provide oversight on the implementation of such decisions. In Mbeki, the SADC appointed the most erudite, thoughtful and internationally respected leader of his time, possibly the only statesman who could provide a bridge between the intensely polarised domestic and international parties to the Zimbabwe conflict.

In terms of its processes, the SADC mediation stayed within the regional norm, sticking with mediation as a form of diplomacy, with the help of a regionally appointed mediator collaborating with his team of mediation facilitators. In this regard the SADCs Zimbabwe mediation rested with Mbeki, and later Zuma as regionally appointed leaders and respected Heads of State. Both played important roles in the struggle for independence, freedom and democracy in South Africa, and were well respected in the region. SADC Summits and meetings of the SADC Organ Troika became critical gatherings to resolve urgent and more critical issues over the intrastate democratization conflict in Zimbabwe. Zimbabwe featured in all SADC Summits and meetings of the SADC Organ Troika between 2007 and 2013, highlighting the urgency with which the Zimbabwe crisis was treated, and regional commitment to finding a lasting solution to the crisis. The regional Summit diplomacy, which also played out at the level of the SADC Organ Troika reflects evolving regional diplomacy which played an important role in the facilitation of the Zimbabwe regional dialogue leading to the settlement of the Zimbabwe crisis through a power sharing settlement and Inclusive Government 2009-2013.

⁹⁹² Polity, Mbeki, Obasanjo, Muluzi in big Zimbabwe push, [https://www.polity.org.za/article/mbeki-obasanjo-muluzi-in-big-zimbabwe-push](https://www.polity.org.za/article/mbeki-obasanjo-muluzi-in-big-zimbabwe-push,5 April 2003), 5 April 2003, Viewed 20 December 2020.



A lot of debates on the SADC mediation tend to controversially over focus on the legacy and role of Mbeki. Understandably, Mbeki was involved with the Zimbabwe mediation for almost a decade, continuing the process as the SADC mediator and chief architect of the GPA settlement for a cumulative 8 years. The role of Mbeki, his perceived relations with Mugabe, and the retention of Mugabe as partner in the power-sharing government remains one of the major criticisms of the Zimbabwe power sharing settlement, representing a major popular critic of the SADC diplomacy in Zimbabwe.⁹⁹³ In a review of five works on the legacy of Mbeki, and many of his public articles, Meersman extends this internationalised view by mistakenly asserting that Chikane, and possibly proponents of the SADC diplomacy viewed Mbeki's retention of Mugabe (in the power sharing government) as a bulwark against Western interference.⁹⁹⁴ He further suggested that Mbeki seemed to favour incumbents, while arguing that with respect to elections, particularly in Zimbabwe, Mbeki's diplomacy in was emblematic of the common practice to keep one of the big men of Africa fraudulently in power against the majority will of the electorate, in more than one election in that country, hence he accuses him of suppressing South African and regional election observer reports which criticised elections processes in Zimbabwe.⁹⁹⁵ Meersman condemns Chikane for suggesting Mbeki's removal was because international powers objected to Mbeki's approach towards Zimbabwe, although Western powers were clearly critical of the Mbeki led SADC mediation.⁹⁹⁶

To be fair, the Zimbabwe mediation as SADC diplomacy loomed large in the criticism of Mbeki, albeit, unfairly, and in some cases, partisan and lacking objectivity, or proper understanding of the conflict dynamics in Zimbabwe, and processes and intentions of the SADC initiative. Secondly, although his successor, President Zuma, changed his team of facilitators during the SADC mediation he did not make any substantial departure from the framework set by his predecessor,⁹⁹⁷ without shifting in both style and content, in spite of widespread expectations that Zuma would take a tough approach against Mugabe and ZANU PF, while strongly backing the MDC formations, in a manner that could have strengthened their hand in the Inclusive Government. More importantly, other than mere expectations, there is no evidence that SADC as a collective was interested in supporting either of the parties' positions beyond fostering

⁹⁹³ Meersman, B. 2012. The Legacy of Thabo Mbeki, *Safundi, The Journal of South African and American Studies*, Volume 13, Issue 3-4, pg. 425-432.

⁹⁹⁴ Meersman, B. 2012. The Legacy of Thabo Mbeki, *Safundi, The Journal of South African and American Studies*, Volume 13, Issue 3-4, pg. 425-432.

⁹⁹⁵ Meersman, B. 2012. The Legacy of Thabo Mbeki, *Safundi, The Journal of South African and American Studies*, Volume 13, Issue 3-4, pg. 425-432

⁹⁹⁶ Meersman, B. 2012. The Legacy of Thabo Mbeki, *Safundi, The Journal of South African and American Studies*, Volume 13, Issue 3-4, pg. 425-432.

⁹⁹⁷ Langa, N and Shai, K.B.2020. The Jacob Zuma Era: South Africa's Foreign Policy towards Zimbabwe (2009–2018), *Journal of African Foreign Affairs*, Vol. 7, No. 2, pp.



political stability, and medium to long-term democratic installation through inclusive negotiations.

Both Mbeki and Zuma subscribed to propagated and sought to facilitate the effective and successful implementation of the SADC mediation process to facilitate political stability and democratic installation. However, given that the GPA was negotiated and crafted under the Mbeki mediation if there were differences between the Mbeki and Zuma mediation, they were largely on style, rather than substance, with the Zuma mediation navigating the process through the successful implementation of the GPA and the completion of the constitution-making process.⁹⁹⁸ Although in the beginning the Zuma mediation seemed to signal a tough posture, they eventually took an approach reminiscent of the Thabo Mbeki administration's foreign policy approach towards Zimbabwe, mainly focusing on cajoling the conflict parties to cooperate towards the implementation of political reforms and fostering political stability.⁹⁹⁹ In the view of Aeby, the SADC mediation focussed on fostering political stability and sustaining the entrenched regional canon of state-centric national sovereignty, while scarifying democracy.¹⁰⁰⁰ Both political stability and national sovereignty are important factors for accommodative democratic installation based on a democratic transition trajectory as encapsulated in the GPA political settlement.

The SADC mediation itself, and the leadership of Mbeki represented one of the most historically defining eras in terms of the commitment of political leaders in Africa to reinventing the AU and African regional institutions in addressing continental problems, while asserting and affirming the relevance of Africans in resolving their own challenges. Mbeki's generation of regional leaders sought to stack their place as equals in a geo-political system which contemptuously marginalised African leaders, and their overlooked their agency. Through fresh pan-African initiatives in which Mbeki, and other African leaders, including Mugabe played critical roles, placing Mbeki amongst one of Africa's well respected thoughtful, and deeply committed statesman,¹⁰⁰¹ these leaders invoked pan African liberation thinking and continental and regional solidarity, rallying their peers to invest in reinvigorated continental

⁹⁹⁸ Langa, N and Shai, K.B.2020. The Jacob Zuma Era: South Africa's Foreign Policy towards Zimbabwe (2009–2018), *Journal of African Foreign Affairs*, Vol. 7, No. 2, pp.

⁹⁹⁹ Langa, N and Shai, K.B.2020. The Jacob Zuma Era: South Africa's Foreign Policy towards Zimbabwe (2009–2018), *Journal of African Foreign Affairs*, Vol. 7, No. 2, pp.

¹⁰⁰⁰ Aeby, M.2017. Stability and Sovereignty at the Expense of Democracy? The SADC Mediation Mandate for Zimbabwe, 2007–2013, *African Security*, Volume 10, Issue 3-4: Unpacking the Mediation Mandate, pg. 272-291

¹⁰⁰¹ Osha, S. 2018. The Political Legacy of Thabo Mbeki, *The Black Scholar Journal of Black Studies and Research*, Volume 48, Issue 4, Returnings, pp. 54-67



institutions, applying self-understanding in confronting contemporary challenges like the Zimbabwe intrastate democratization conflict.

Proponents of pan-African endogenous solutions to African problems therefore hail Mbeki as the most important African political figure of his generation, a pan-African philosopher who permanently etched a legacy of “African identity.”¹⁰⁰² Admittedly, Mbeki was more complex a figure, more than his critics would admit, whose role profoundly impacted reforms at the AU, NEPAD, and sub-regional institutions, while rejecting external dictation from outsiders, in line with respecting the agency of Africans at home, as well as in global affairs. His stubborn insulation of the SADC mediation from Western exertions was beyond narrow partisan perceptions, but profound conviction and belief that Africans were capable of solving their own problems better than far away players, detached from both the place and context of the conflict, lacking understanding of the Zimbabwe conflict and advancing their own interests, if not projects, which threatened domestic and regional stability. The SADC mediation insisted on dialogue with, and amongst the Zimbabwe conflict parties, insulated the mediation process from Western pressure, while focussing on a regionally mediated domestic solution as a trajectory to foster stability and facilitate democratic transition and installation in Zimbabwe.

The realisation of the GPA settlement marked a major homegrown African and sub-regional solution to the Zimbabwe crisis. The SADC mediation process and its outcome were home grown to the extent that it was driven by the AU and SADC leaders independent of external interference and direction, and home grown because it involved the Zimbabwe conflict parties, the MDC formations and ZANU PF, Tsvangirai and Mugabe, representing the biggest political party constituencies in the country, engaging in dialogue and negotiations as Zimbabweans to find lasting solutions to the national crisis pervading the country. Mbeki persistently emphasised the importance of creating room for the Zimbabwean conflict parties to cooperatively find solutions to their domestic problems without external, particularly Western meddling, in line with respecting the self-determination and national sovereignty of Zimbabwe.¹⁰⁰³ Accordingly, one of the major exercises which faced the mediators and the facilitators of the mediation process was to insulate the SADC process from Western pressure, which they believed threatened to derail interparty negotiations, prospects of a settlement and

¹⁰⁰² Adebajo, Adebajo: Mbeki Legacy is African Identity, International Peace Institute, 19 May 2016, <https://www.ipinst.org/2016/05/thabo-mbeki-philosopher-king-book#4>, viewed 12 August 2021.

¹⁰⁰³ Politicsweb, Thabo Mbeki Letters to Morgan Tsvangirai, 30 November 2008, <https://www.politicsweb.co.za/news-and-analysis/thabo-mbekis-letter-to-morgan-tsvangirai>, Viewed 30 November 2021.



later, the stability of the Inclusive government, while keeping the conflict parties engaged in dialogue and committed to the full implementation of the GPA until the 2013 elections.

The SADC regional diplomacy provided a social and political environment for a home-grown solution crafted through cooperative negotiated compromises amongst the conflict protagonists. While the 2007 negotiations shifted the conflict from outright violence to a negotiated exit, the negotiations over political reforms towards the 2008 elections intensified interparty dialogue, and subsequently resulted in improved elections conditions as constituted in Constitutional Amendments No. 18 and No. 19,¹⁰⁰⁴ which were unanimously passed by both ZANU PF and MDC Parliamentarians.¹⁰⁰⁵ The GPA was signed in 2009 following months of several difficult rounds of negotiations in both South Africa and Zimbabwe. The GPA paved the way for political accommodation, political stability, a range of political and constitutional reforms and facilitated peaceful elections in 2013. The signing of the GPA in 2009 was historic by any measure. To demonstrate the dawn of a new reality, for the first time in their lives, Robert Mugabe shook hands with Morgan Tsvangirai and Welshman Ncube, the men he had reviled as puppets of the West and treated like domestic terrorists. The signing of the GPA caught sceptics by surprise, sending a rare message of unity and committed mutual political collaboration from the former sworn enemies, now principals of the settlement. The messages of purposeful unity and cooperation from the Principals of the GPA during the signing ceremony resonated far beyond Africa, into Western capitals, whose leaders had ostracised Mugabe and ZANU PF, refusing to cooperate with Zimbabwe, under the leadership of the former regime, and heavily criticised the SADC approach to the Zimbabwe crisis.¹⁰⁰⁶

In spite of their criticism of the SADC process, Western powers scrambled to exercise direct and indirect influence on the Zimbabwe process through the SADC mediation. Accordingly, all Western exertions on Zimbabwe could only be channelled through the SADC mediation as admitted by President George Bush during his visit in South Africa as early as 2002 when he expressed that Mbeki was their point man on Zimbabwe.¹⁰⁰⁷ By 2002, adversarial coercive Western diplomacy which was firmly rooted on support for human rights, rule of law, civil liberties and good governance, including the rechannelling of development aid from livelihoods support towards democracy and good governance programmes proved futile as the Zimbabwe

¹⁰⁰⁴ Constitution of Zimbabwe Amendment (No. 18) Act, 2007,

¹⁰⁰⁵ ISO(Zimbabwe) No. 18 amendment ...the Great betrayal ...Working People's convention now!, 25 September 2007, https://isozim.blogspot.com/2007/09/no_18, Viewed 20 September 2021

¹⁰⁰⁶ The Guardian (SA), Mugabe and Tsvangirai sign deal to hold Zimbabwe power-sharing talks, 21 July 2008, <https://www.theguardian.com/world/2008/jul/21/zimbabwe>, Viewed 21 June 2021

¹⁰⁰⁷ The Guardian (UK), Bush backs Mbeki on Zimbabwe, 10 July 2003, <https://www.theguardian.com/world/2003/jul/10/zimbabwe>, Viewed 21 June 2021



elections disputes, political violence, anarchical land occupations in the aftermath of the 2000 and 2002 elections worsened. Mbeki revealed that at the height of the Zimbabwe crisis, South Africa rejected suggestions or proposals by the US and UK governments to persuade President Mugabe not to participate in the 2002 elections, or alternatively to invade Zimbabwe to facilitate regime change, insisting on a negotiated approach with Mugabe as part of the solution to the Zimbabwe crisis.¹⁰⁰⁸ Between the period 2000 to 2007, several domestic initiatives and overtures led by the Zimbabwean clergy also failed to unlock the Zimbabwe crisis,¹⁰⁰⁹ leaving the evolving South Africa led mediation, which was embraced by the SADC as its main solution to Zimbabwe as the only game in finding a lasting solution to the Zimbabwe crisis.

Five months into the 2007 SADC negotiations, the parties agreed to a constitutional amendment-Constitutional Amendment No. 18, which was subsequently adopted by the Zimbabwean Parliament creating peaceful conditions for the 2008 elections, particularly the first round of elections in March 2008. Amongst many administrative electoral concessions, The Amendment allowed for polling station-based declaration and announcement of elections results, replacing the previous centralised system. These changes paved the way for the opposition to observe and monitor the announcement of election results, shadowing the partisan Zimbabwe Election Commission whose opaque operations were largely discredited, and lacked trust amongst the opposition and civil society. Granted, within the short time that constitutional Amendment No. 18 was negotiated before the 2008 elections, it could only allow for urgent procedural reform and not necessarily substantive issues. However, the March 2008 elections, generally referred to as the first round of elections was the most peaceful election Zimbabwe held since independence, in addition to the fact that for the first time ZANU PF formally lost in a democratically contested election in the history of Zimbabwe.

Given that the process and negotiated Kariba draft was overtaken by events after President Mugabe pre-emptively declared dates for the 2008 national elections before the new constitution (the Kariba draft) was adopted, the successful negotiations over the Constitution Amendment No 18 became a profound milestone often ignored by many scholars of the SADC mediation, and its immense ramifications for the 2008 elections outcomes are often ignored or understated. The period between January and March 2008 became very critical for the SADC

¹⁰⁰⁸ The Mail and Guardian (SA), Mbeki: Blair plotted military intervention to remove Mugabe, 28 November 2013, <https://mg.co.za/article/mbeki-blair-plotted-military-intervention-in-zim/>, Viewed 20 June 2021

¹⁰⁰⁹ Kaulemu, D.2010. African Church Responses to African Conflict, Church Responses to the Crisis in Zimbabwe, The Review of Faith & International Affairs, Volume 8, Issue 1, pp. 47-54



facilitators as they sought to ensure that the conditions of the March 2008 elections needed to be shielded from pervasive elections disputes which had characterised all electoral contests since 2000, allowing Zimbabwe to legitimately and legally hold undisputed elections, paving the way for domestic and international legitimacy. The SADC mediators urgently pushed the conflict parties to reach a minimalist electoral compromise on mutually acceptable electoral procedures before the elections were held. While the issues raised in the Kariba draft would later be used to inform the 2009-2013 constitution-making process, the main focus of the negotiators shifted into the negotiation of electoral reforms, the institutional conditions and political-electoral environment conducive for free and fair elections in 2008.

Fundamentally, the administrative decentralisation of the announcement of the elections results by introducing a polling station based counting, returning and announcement of elections results allowed the opposition to introduce the Polling Voter Tabulation (PVT) system to parallel count and collate votes and final outcomes as a way of protecting their votes from characteristic electoral which perpetually besmirched the role of the Zimbabwe Election Commission as a key agent in manipulating the voting process and outcomes in favour of the ruling ZANU PF. The MDCT was able to use its independently compiled elections results to contest ZANU PF in the courts of law, although without much success. In itself, the parallel tabulation of election results by the opposition set a landmark precedent for electoral autonomy and accountability in Zimbabwe, as for the first time, this provided accessibility to electorally data traditionally protected under state security instruments in previous Zimbabwean laws.

6.4 The Trends and Trajectories of the SADC Mediation in Zimbabwe

The SADC mediation projected trends and trajectories unique to evolving pan African regional and continental diplomacy typifying home-grown pan African regional and continental solutions to the Zimbabwe crisis. Through the SADC mediation in Zimbabwe, African leaders independently assertively demonstrated the willingness and capability to provide home-grown solutions to teething continental and regional conflicts at home. The resultant Zimbabwe settlement was probably one of the biggest most remarkable achievements, which is often downplayed, or whose impact is understated by its critics.

The SADC diplomacy succeeded where domestic initiatives led largely by the clergy, and Western coercive punitive diplomacy had failed to usher Zimbabwe towards the path of political stability and democratic transition. The first significant trend in the SADC mediation was the delicate process to broker dialogue between the ZANU PF, its leader, Robert Mugabe, and the



MDCT and its leader, Morgan Tsvangirai. Since 2002, both parties and their leaders imposed difficult conditions before any dialogue could take place. Mugabe insisted that Tsvangirai should recognise him as the legitimately elected leader of Zimbabwe before any dialogue could take place. The MDC formations called for Mugabe to step down, and refused to recognise his legitimacy accusing him of retaining power through electoral fraud, political violence and fraud.¹⁰¹⁰

Principally, the SADC diplomacy sought to gradually foster internal institutionalization of democracy through negotiations and political accommodation amongst the conflict parties, providing for broadly agreed political reforms informed by the conflict issues in Zimbabwe. Although, the democratic reforms were largely influenced by democratic transition norms such as the holding of legitimate, free and fair elections, rule of law, respect to property rights, media freedoms, and entrenched civil liberties, SADC diplomacy also focussed on addressing historical contradictions in Zimbabwe by bringing the domestic conflict parties to collectively resolve the pervasive conflict over the land reform, which mutated into racialised socio-economic contradictions within Zimbabwe.

SADC took a cautious approach to ensure political stability based on gradual inclusive political reform agenda. SADC persuaded the Zimbabwe conflict parties to work together to bridge the existing partisan polarised violent confrontation between ZANU PF and the MDC formations. The former liberation movement, ZANU PF, had forged a singular hegemonic dominant exclusive party system which allowed it singular dominance of the socio-economic and political institutions and affairs of the state and government. The growing popularity and influence of the opposition MDC, suddenly shifted the political system into a two-party system, as ZANU PF resorted to violence to assert its power and resist the MDC, keeping popular the opposition outside the state and government. From 2008, SADC engaged in shuttle diplomacy as Mbeki regularly visited Zimbabwe to push for political settlement, while informing SADC leaders at Summits, coordinating regional efforts, while cajoling ZANU PF and the MDC formations to avoid socio-economic and political implosion. The total collapse of government in Zimbabwe risked to inflame domestic political instability with a bigger humanitarian crisis, which could inflame the whole region.

By engaging with both ZANU PF and the MDC formations, SADC accepted and bolstered the domestic and international legitimacy of both ZANU PF and its leader, Robert Mugabe, as well

¹⁰¹⁰ Mail and Guardian (SA), Tsvangirai: I'll Negotiate if the Violence Stops, 23 June 2008, <https://mg.co.za/article/2008-06-23>, Viewed 12 December 2021.



as the MDCT, and its leader Morgan Tsvangirai. The symbolic legitimization an opposition political leader before any ruling party and or incumbent leader was unprecedented in the SADC region. Yet, the SADC engagement with the major conflict parties affirmed the depth of the Zimbabwe crisis, as well as regional commitment to cooperative solution.

Between 2000 and 2013, ZANU PF and the MDC emerged as bi-partisan dominant hegemonic parties in Zimbabwe, transforming the political system from a single hegemonic former liberation movement turned political party. The two major political parties continued as the major conflict political party formations. By 2008, the combined MDC formations entirely controlled all urban parliamentary and local government constituencies, while ZANU PF controlled the rural constituencies, government bureaucracy and key organs of the state such as the military and the Judiciary, as well as rural traditional authorities. The two parties were by far the most popular formations between them, commanding the largest political following across the political divide, cutting through the urban -rural geographic divisions, the national racial and ethnic constitution of the country, as well as diverse economic and political domestic interests and power brokers in Zimbabwe.

Both ZANU PF and the MDC formations, the two hegemonic political parties legitimately enjoyed the potential and real mandate to act, negotiate, and rally the interests of their supporters towards a foundational democratic settlement, fostering democratic installation and political stability. Mugabe and Tsvangirai remained by far the most powerful, popular and dominant political leaders of their time in Zimbabwe, commanding the biggest and widest electoral political support amongst the diversity of Zimbabwean voters between 2000 and 2013. From all the electoral processes and outcomes since 2000, ZANU PF and the MDC formations, as well as their Presidential candidates, Mugabe and Tsvangirai, were separated by small electoral margins, even as Tsvangirai, for the first-time outpolled Mugabe in the 2008 elections. However, both process and the outcome of the 2008 elections were disputed by ZANU PF and the MDC T, eventually resulting in the illegitimate, violent July 21 election run-off.

The 2007 SADC mediation was launched at the height of partisan political violence, deepening humanitarian and socio- economic crisis, amidst protracted intransigence between ZANU PF and the MDC which imploded into unprecedented violence. In spite of their mutual resentment and intransigence, this process birthed a political deadlock which left both parties with minimal options to manoeuvre. While the MDCT, collaborated with pro-democracy NGOs to embark on mass protests to press the government for political reforms and increased their share of



electoral popularity since 2000, they remained far off from gaining control of the state. However, the increased regional lobby to persuade SADC to broker domestic dialogue gradually opened the country for SADC mediation since 2007, against the willingness, and in some cases resistance from the ZANU PF government. Many scholars criticise the SADC mediation for being lenient with Mugabe and ZANU PF, overlooking the fact that the SADC mediation materialised largely because the MDC embarked on a process to canvass for a regional solution to the Zimbabwe crisis since 2006. On the other hand, although Mugabe remained in firm control of both the ZANU PF party, government and the state, ZANU PF increasingly became militarised at a faster rate since 2000, further conflating the state with partisan military-security institutions, the Judiciary and Parliament. Furthermore, ZANU PF, rhetorically and officially treated opposition protests as insurrection meant to facilitate regime change, and reacted with brutal full force of the state, deploying the police and the army to violently break the protests, closing space for freedom of association and expression at the cost of extensive human rights violations. At the time of the SADC involvement in Zimbabwe in both 2007 and 2008, the Zimbabwe situation was tethering towards serious violent conflict in the face of opposition violent protests and reactive state repression.

The 2008 election violence presented a new challenge and opportunity for the SADC mediation. The 2008 violence exposed the role of ZANU PF in the breakdown of democracy beyond acceptable levels even within SADC. The overt militarization of state institutions loomed large with the military visibly emerging as the arbiter of power in Zimbabwe. There is no doubt that the 2008 run-off election was sophisticatedly organised based on the constitution of Zimbabwe, barring the quarrelling between the conflict parties. However, the military and war veterans of the liberation struggle coordinated a violent campaign which forced Tsvangirai to pull out of the race before the run-off elections date, using extensive violence to block all opposition campaigns and gatherings. The Zimbabwe Electoral Commission froze the announcement of the final results of the March 2008 elections for five weeks, plunging the country into serious uncertainty, while giving ZANU PF time to re-strategize, before winning the run-off election, which was viewed as a sham election.

While SADC took a position to respect the sovereignty and internal processes in Zimbabwe, remaining non-intrusive to allow the electoral process to run its course, it quickly called on South Africa to continue its mediation role to end the crisis. Suggestions that SADC adopted a “wait-and see” approach overlook the flurry of reproachment between elements in the MDC and ZANU PF during the five weeks within which ZEC held back the announcement of results. Key leaders within the major conflict parties reached out across the political divide to broker a

deal on the basis of the impending uncertain election results, in efforts to prevent the collapse of the country into chaotic violence without success. However, ZANU PF exploited the uncertainty to regroup, calling the Presidential elections inconclusive. While in terms of the constitution, the run-off election was legally supposed to take place within 21 days in terms of the country's electoral laws, ZEC extended the electoral period to 90 days, which were used by the ZANU-PF government to unleash an orgy of violence and intimidation. The events and debates around the July 21 elections run-off election are widely captured in many human rights reports and studies of the SADC mediation, suffice to say that the SADC mediators rejected the outcome of the run-off elections, factored the outcome of the peaceful first round of elections as the basis for power sharing between the conflict protagonists.

Suggestions by critics of the SADC mediation that the SADC should have stopped the run-off election are ill-informed, and played into the ZANU PF aversion to external interference into the affairs of Zimbabwe. SADC had minimum leverage if any to stop a legal electoral process based on Zimbabwean laws, particularly considering that the opposition failed to bring a solid case against the interpretation of the same laws which were invoked to call for the Presidential run-off itself. In fact, the MDC formations were part to the negotiations which compromised on electoral reforms which introduced the run-off close.

Although Mugabe claimed to have won the elections with 85.5 percent of the vote, for the first time in any election in Zimbabwe, both SADC and African Union (AU) observers declared the outcome of run-off election illegitimate, with both institutions effectively refusing to recognize the June election results. The SADC was then mandated by the AU Summit held in Egypt from June 30 to July 2, 2008, to pursue "a negotiated solution," with a view to persuade the conflict parties to form a government of national unity. The SADC mediation pushed the conflict protagonists to sign a Memorandum of Understanding (MOU) in July 21, 2008, which committed themselves to dialogue and to concluding a Global Political Agreement (GPA), thus locking ZANU PF and the MDC into dialogue, and a negotiated exit out of the Zimbabwe crisis. This process progressed into the signing of the GPA in September 2008, providing for broad terms and institutions as roadmap to settling the Zimbabwe crisis by arresting the rapid socio-economic conditions, and explosive humanitarian situation, while facilitating democratic transition. Since 2008, SADC pursued diplomatic engaged with the Zimbabwe conflict parties to achieve a political settlement centred on political accommodation, power sharing and inclusive government as the basis for returning the country to democracy.



6.5 Facilitation as SADC Diplomacy: Structure and Dynamics of the 2007-2013 SADC Mediation

The process of facilitation is generally overlooked in the literature and discussions of the SADC mediation. However, facilitation, understood as the role of intermediary is important to gathering information, communication, assessing opportunities, and persuading conflict parties to agree on solutions with the help of respected elders or peers, to exit political and general problems in society, particularly African societies. Facilitation and the use of intermediaries are part of the regional diplomatic norm in addressing crisis within the SADC region. The SADC mediation was first led by Mbeki, and later, Zuma. Although much is written about these Heads of States as intermediaries, not much is said about their teams, and broadly facilitation as a critical process in persuading the Zimbabwe conflict parties to agreements on important aspects of the role of the SADC mediation and the democratic installation process in Zimbabwe. The facilitators under Mbeki earned a lot of respect amongst political elites involved in the SADC mediation, within ZANU PF and the MDC formations. Chikane and Mufamadi created critical continuous contacts with negotiating leaders of the MDC and ZANU PF, although Tsvangirai had a few public differences with Mbeki, particularly on the style of the SADC mediation. In May 2008, Mbeki's team of facilitators ran meetings with the Zimbabwe conflict parties to explore various conflict exit points.¹⁰¹¹ Such meetings which were conducted with the conflict parties either separately or together, played the most important role in drawing the conflict parties to consensual agreements, based on their free decisions which they explored separately and collectively, thus granting ownership of the generated solutions. The facilitators under Zuma clashed with the ZANU PF leaders, to the point where Mugabe publicly ridiculed Lindiwe Zulu over her media engagements during the SADC mediation,¹⁰¹² and Zuma later gagged her from commenting on the SADC mediation.¹⁰¹³ The mediators worked with the assistance of facilitators, who combined administrative and technical assistance. Both Mbeki and Zuma constituted teams of close allies who became their day-to-day intermediaries and conflict bursters on the Zimbabwe issues with some significant success. Frank Chikane and Sydney Mufamadi gained immense respect across the conflict parties during the SADC mediation, while during the Zuma mediation, Lindiwe Zulu elicited

¹⁰¹¹ Mufamadi chairs Zanu-PF and MDC meeting, 10 June 2008, <https://www.iol.co.za/news/politics/mufamadi-chairs-zanu-pf-and-mdc-meeting-403947>, Viewed 15 November 2021.

¹⁰¹² The Herald (Zimbabwe), Zulu Receives Presidential Kiss, 19 August 2013, <https://www.herald.co.zw/zulu-receives-presidential-kiss/>, Viewed 14 November 2021.

¹⁰¹³ BBC, South Africa's Jacob Zuma silences Lindiwe Zulu on Zimbabwe, 22 July 2013, <https://www.bbc.com/news/world-africa-23402822>, Viewed 14 November 2021.



sharp criticism from Mugabe and ZANU PF due to her mostly open engagement with the media, an approach which her predecessors tended to shy away from.¹⁰¹⁴

For the first time since 2000, the 2007 SADC mediation paved the way for direct face to face negotiations between representatives of the MDC formations and ZANU PF after several years of back and forth talks about talks between ZANU PF and MDC leaders. During these first ever high level talks, ZANU PF was represented by its hardliner Secretary for Legal Affairs, and then Minister of Justice, Patrick Chinamasa and Minister of State Security, Nicholas Goche, the MDCT was represented by its Secretary General Tendai Biti, while the small faction of the MDC was represented by its President Welshman Ncube and Secretary General Priscilla Misihairabwi Mushonga, all very high profile opposition leaders with international respect since their early days in Zimbabwean politics in the 2000s. The three teams of interparty negotiators met secretly to drive the 2007 Kariba Negotiations under Mbeki's team of facilitators, Sydney Mufamadi, Frank Chikane, and Advocate Gumbi, all of them strong advocates of SADC's approach to the Zimbabwe conflict, his leadership of the SADC mediation and grasp of the issues and challenges facing the SADC process, particularly from Western powers.¹⁰¹⁵ The facilitators of the SADC mediation played an critical roles shuttling between Pretoria and Harare to guide the intense but delicate ongoing negotiations for seven months until the conflict protagonists agreed to the Kariba constitution draft, and another couple of months to the run up to the 2008 elections until ZANU PF and the MDC formations agreed to Constitution Amendment No. 18, and No. 19, basically an bridging electoral agreement to improve the conditions and procedures under the 2008 elections were held, after Mugabe abruptly invoked the Presidential powers to bring the elections dates for the 2008 elections forward before the promulgation of the Kariba constitution into law without consulting other parties. The facilitators and the negotiating parties invested an immense meeting, drafting, revising positions, clarifying and keeping the three parties focussed on ending the conflict. From 2008 to 2013, they were consumed with addressing the problems related to the implementation of the GPA, successfully shepherding to the process through the full tenure of the Inclusive Government.

The SADC diplomacy relied on emissaries to drive its Zimbabwe process of mediation, negotiations between the conflict parties, and emerging issues during the Zimbabwe mediation

¹⁰¹⁴ BBC, South Africa's Jacob Zuma silences Lindiwe Zulu on Zimbabwe, 22 July 2013, <https://www.bbc.com/news/world-africa-23402822>, Viewed 14 November 2021.

¹⁰¹⁵ Chikane, F.2012. The Things That Could Not Be Said From A(ids) to Z(imbabwe), Johannesburg, Picardor.



process.¹⁰¹⁶ The use of emissaries or interlocutors to diffuse conflict situations, to facilitate dialogue and negotiations is a historically common practice amongst African societies, which was institutionalised as an important diplomatic and political norm by the AU, the SADC and other African regional communities. Under Mbeki, the facilitators of the SADC mediation included Sydney Mufamadi, Frank Chikane and Mojanku Gumbi,¹⁰¹⁷ while Zuma later appointed a new team of facilitators, Lindiwe Zulu, Charles Nqakula and Mac Maharaj, all senior political leaders in the ANC and the government of South Africa, to provide technical support to the SADC mediators.¹⁰¹⁸ The triumvirate of assistants was constituted of teams of confidantes, reputable negotiators in their own right who had the full trust and access to the chief interlocutors and the full confidence of the conflict parties.

6.6 The SADC Pan-African Regional Diplomacy: Processes, Institutionalisation, Conflict Measures and Democratic Transition in Zimbabwe

As discussed in the previous chapters SADC formerly intervened in Zimbabwe through mediation first in 2007 and 2008-2013. The SADC Summits and meetings of the Organ on Politics and Defence were seized with seeking a solution out of the Zimbabwe crisis through regional diplomacy centred on dialogue, interparty negotiations towards a political settlement, political accommodation based on democratic reforms. This approach was largely influenced by the need to foster political stability and democracy in the SADC region, given decades of historical conflict associated with the liberation struggles and the Cold wars, as well as the breakdown of democratization conflicts after independence. Mediation and dialogue were crucial in settling post-independence conflicts in general, and the Zimbabwe conflict in particular, because such conflict emerged from widened intractable partisan polarisation deeply rooted in historical grievances as sources of conflict.

The SADC is comparatively a young organization which only evolved from the Front-line States to a development community in the 1980s, and an emergent robust pan-African regional diplomatic institution since the 1990s. Within such a short historical period SADC adopted summit diplomacy and mediation to unlock conflicts in regional member states. The SADC was predisposed to both internal and external contradictions requiring delicate handling of familial

¹⁰¹⁶ Chikane, F. 2012. Eight Days in September - The Removal of Thabo Mbeki, Johannesburg, Picador Africa.

¹⁰¹⁷ Mufamadi, Mugabe in Private Discussions, <https://www.iol.co.za/news/politics>, Viewed 25 December 2020.

¹⁰¹⁸ South Africa Regrets Unauthorised Statements on Zimbabwe, South African Government, www.gov.za, Viewed 25 December 2020.



ideological and political bonds which permeated political party, government and state to state relations. While much of the literature criticise the role of the SADC as having been hung by these historical factors, there is evidence that this placed the SADC, South Africa and its leaders who led the Zimbabwe mediation in a better position to embark on painstaking but successful process of diplomatic engagement with the conflict parties in Zimbabwe, with a deep understanding of the pervasive interest, historical and contemporary conflict dynamics. In spite of the extensive international, regional and domestic toxicity, polarisation and partisan violence driving the conflict dynamics, the SADC successfully helped the conflict parties to agree to constitutional negotiations in the course of 18 months of intensive mediation and negotiations since 2007. This process eventually facilitated a political agreement, the Global Political Agreement signed in 2009, leading to the formation of the Inclusive Government for the first time since 2000, bringing together ZANU PF and MDC formations to work together.

The reformation of SADC after the 1990s, laid a solid foundation for regional self-help in sustaining peace and democracy through home-grown interventions. The institutionalisation of common regional standards, norms and values to guide the installation and protection of democracy within the region became landmark shifts in SADC's proactive interventions to facilitate peace, and foster democracy in the region,¹⁰¹⁹ and in Zimbabwe in particular. In spite of the criticism to their role, SADC observed the Zimbabwe 2008, and 2013 elections based on its protocols, regional standards for democracy, rejecting the 2008 run-election as not free and fair. These views on the run-off election bolstered the SADC mediation in seeking a peaceful solution to the Zimbabwe conflict. Suggestions that SADC suffered from the absence of common (liberal) values,¹⁰²⁰ may reflect the attitude of its authoritarian member states, but understates the regional institutional aspirations as stated in the Charter of the SADC and the AU Charters. SADC embraced democratic rule, putting in place institutions and standards to entrench democracy through democracy elections in member states. Although there are debates about the freeness and fairness of elections, all SADC member countries including Zimbabwe have embraced multiparty democracy, have active opposition political parties and growing civil society allowed to participate in political life.

The SADC became the main, if not the sole regional institution of reference for a lasting solution to the Zimbabwe crisis by the international community, civil society and more

¹⁰¹⁹ SADC, SADC Principles and Guidelines Governing Democratic Elections, <https://www.eisa.org/pdf/sadc2015principles.pdf>, 20 July 2015, Viewed 25 November 2021

¹⁰²⁰ Nathan, L. 2004. The absence of common values and failure of common security in Southern Africa, 1992-2003. Crisis States Research Centre working papers series 1 (50). Crisis States Research Centre, London School of Economics and Political Science, London, UK.



importantly, political actors in Zimbabwe, demonstrating confidence in the role of the SADC diplomacy to exit the Zimbabwe crisis. While the contrast in the character of domestic political regimes within the SADC member states, for example between the democratic and authoritarian regimes presented challenges in terms of collective mutual commitment to democratic norms and values,¹⁰²¹ the sustained committed recourse to diplomatic measures away from coercive intrusive path, to stem conflict and foster democracy in member states, strengthened its role and appeal in fostering regional and continental self-help without escalating conflicts. Both ZANU PF and the MDC formations invested much effort, resources and commitment in engaging with the SADC mediation throughout the process of mediation and the tenure of the Inclusive Government in 2013.

Although SADC embarked on sustained successful mediation which led to dialogue and interparty negotiations which culminated in the installation of the inclusive government in Zimbabwe, constitutional and democratic transition reforms, it still draws much criticism for failing to facilitate democratic transition in Zimbabwe. Critics of the SADC mediation point to SADC's reluctance to intervene in Zimbabwe as the regional body dragged its feet until socio-economic, political and humanitarian implosion in 2007 and later 2008. They further state that it was not adequately institutionalised and lacked capacity to stem the Zimbabwe crisis. They further argue that regional political leaders lacked political will and motivation to end the crisis given that many SADC leaders were authoritarian leaders facing potential democratization dissent, hence Zimbabwe provided a learning curve from a dictator's book on how to preserve political power and repress democratization pressure. For a myriad of reasons, they conclude that the SADC mediation failed to facilitate democratic transition in Zimbabwe, but rather created conditions for Mugabe to cling onto power, eventually excluding and marginalising Morgan Tsvangirai of the MDCT, the winner of the 2008 elections.

Given these valid, but contentious criticism of the SADC mediation, it is important to place its institutionalisation, processes and evolving diplomacy within its historical context, as well as the conflict in Zimbabwe. The SADC institutionally embraced democratic norms, values and procedures within its Charter, with all its member states as signatories, and institutionalised formal and informal conflict processes, with regional mediation as one of its major emerging regional diplomatic norms which made significant impact in stemming the Zimbabwe crisis and fostering democracy. Much of the criticism to the SADC mediation, and its contemporary diplomacy over-looks its historical context and growing diplomatic weight rooted in dialogue

¹⁰²¹ Nathan, L.2016. Community of insecurity: SADC's Struggle for Peace and Security in Southern Africa, Routledge, London.



and persuasion firmly rooted in regional solidarity. While such solidarity is politically knitted, it is informed by well-articulated awareness to contemporary regional contradictions which require SADC member states to deal with their own problems as the long-term solution to political instability and the breakdown of democracy.

Internally, SADC, like its peer regional organisations in Africa suffers from insufficient expertise in mediation, inadequate institutional support for mediators, no institutional memory and learning, and no viable concept of mediation. However, its reliance on serving and retired statesman provides for much of its deficiencies in capacity, as such leaders bring forth important experiences, relations and alliances which necessarily constitute much needed diplomatic leverage in addressing critical conflict issues. Both Mbeki and Zuma brought extensive highest-level mediation experience to the Zimbabwe mediation. They worked with close conflict busters in the teams of the mediation facilitators they appointed, while the South African government demonstrated full commitment, provided resources and logistics for the SADC -Zimbabwe mediation. From a simple bureaucratic perspective, SADC is institutionally weak, faces perennial shortage of funding, having to rely on donors, lacked the capacity of the EU and other Western institutions which attracted highly skilled work forces within their institutions, and could recruit them as fully dedicated staff, affording them high remuneration.

The SADCs conflict mechanisms originated during the late 1990s, simultaneously confronted by several regional democratization conflicts for example the DRC, Lesotho, Swaziland and Zimbabwe amongst others. Given that much of these conflicts emanated from calls for democratic deepening and socio-economic challenges, it is fair to argue that calls for home grown solutions to conflict were timely, and using the SADC to rally the region towards political stability, rule of law, property rights, human rights and socio-economic issues, including historical contradictions was a timely intervention which would require important regional diplomatic resources and skills to keep the region together in addressing collective challenges. In fully understanding the role of the SADC mediation, it is important to assess it within the context of its historical evolution and contemporary development in response to such contradictions. The steps in the development of the SADC influenced its response in the SADC mediation diplomacy to the Zimbabwe crisis.

Studies on the SADC mediation in Zimbabwe tend to play down the regional consensual diplomacy in successfully laying a strong foundation for democracy and stemming one of the most challenging world conflicts in Zimbabwe. This is further compounded by downplaying or projecting the evolution and historical agency of SADC as inimical to resolving domestic



conflicts and fostering democracy. Furthermore, the critics of African diplomacy in general, and the SADC mediation in Zimbabwe in particular broadly overlook profound institutional development of the SADC, and its successful impact on political stability and democratic installation in Zimbabwe. In contrast to the abundant studies of historical and diplomatic studies on Western institutions and statesman as critical players in brokering regional and global peace including where Africa, its regional institutions and states are concerned, this down plays the agency of prominent African statesman and institutions in stemming conflict.

The SADC emphasised constructive engagement with the conflict parties in Zimbabwe, preventing the escalation of the Zimbabwe crisis, facilitating dialogue and interparty negotiations and realising a political settlement rooted on political accommodation. SADC relied on indirect talks through Mbeki, Zuma and their teams of emissaries to break mutual resentment, and work with the conflict parties to gradually define the rules, shape the content of the eventual negotiations, create opportunities for communication with and between the intractably polarise conflict parties, and explore solutions to the Zimbabwe crisis. Furthermore, SADC played the role of coordinating these talks, either initiating them, or giving audience to the conflict parties at their request. Accordingly, much of the mediation diplomacy, referred to in the literature as quiet-diplomacy led by South Africa between 2000 to 2007 laid the foundation for the SADC diplomacy of 2007 to 2013, through many events of behind the scenes talks.

The 2007 to 2013 direct talks and negotiations which culminated in the realisation of a political settlement in Zimbabwe were a culmination of a long process of negotiations at various SADC platforms. Proponents of Eurocentric or Western approaches to the study of diplomacy tend to overlook the evolutionary historical institutionalization and processes of the SADC, tempered by the colonial legacy and its contestation, as well as hegemonic global dominance of neo-liberalism. Such scholars particularly focus on the political and economic values and propositions of liberalism, conflating them with the development of regional diplomacy in the SADC, while trashing the quest for national sovereignty, self-determination and historical alliances and relations rooted in common political and economic struggles as inimical to democratization. Such approaches deny regional and domestic agency to SADC and the Zimbabwean conflict parties in resolving their conflict, while understating the roles of SADC and prominent African statesman and institutions in influencing their contemporary and future conditions. They simply down play or understate the achievements of SADC in fostering political stability and democracy in Zimbabwe.

The SADC, as is the African continent is built on the back of critical historical diplomatic agents of Africans which continue to be overlooked. On the other hand, the quest for self-assertive diplomacy popularised by Mugabe, Mbeki, Wade and many other African leaders before and after them persistently ensure that the SADC process stuck to form, in the sense of perpetual continuities from the liberation struggle comradely ethos, habits and approaches, while seeking to advance peaceful democratic rule in Zimbabwe.

Critics of the SADC mediation in Zimbabwe overlook its evolving ethos, character, institutions and processes while focussing on a Eurocentric or Western view and perceptions of both the process of mediation, its strategies and expected outcomes. The emphasis on instruments of coercive diplomacy, objective engagement with the conflict parties and neutrality belies the advantages of weighted trust based on deeply close relations and honesty which characterized SADC diplomacy as effected by regional statesman during AU and SADC Summits and other meetings. Given that Mugabe and ZANU PF were extremely diplomatically and politically cornered, Mbeki, and his successors, and SADC in particular, succeeded because they provided a sense of honesty broker who carried genuine legitimacy as liberation hero in Southern Africa. Both Mbeki and Zuma enjoyed solid liberation struggle credentials. Mbeki was a profound pan-African continentalist, who enthused erudite cosmopolitanism, hence he could be trusted as a friend by Mugabe and ZANU PF, a nationalist liberation party government which for a long time had rejected dialogue with the opposition MDC. Mbeki in particular and the SADC process in general presented a legitimate mediator and a player who shared and understood the domestic contradictions facing Zimbabwe, shared similar colonial and liberation struggle experiences, and had an interest to unlocking the Zimbabwe crisis given its socio-economic and political weight on South Africa in particular, and the SADC region in general. Even when the MDC formations did not agree with Mbeki's approach, they continued to defer to the SADC mediation, insisting that the SADC mediation was the best way to end the Zimbabwe crisis.

National sovereignty, self-determination, solidarity and mutual respect influenced the attitudes shared between the facilitators of the SADC mediation and the conflict parties in Zimbabwe. While deference and respect come with this approach, mutual respect allowed the mediators to effectively air and communicate their views of the conflict and the facilitation process, to intervene in closing the gap of attitude and demands from the two major intransigent camps, creating conditions for sustainable dialogue amongst the conflict parties without resorting to coercion or imposing deadlines.

To bolster confidence with all the conflict parties, the SADC mediators painstakingly made deliberate efforts to insulate and communicate their view of the mediation to external powers, particularly the West, whose openly hostile posture and advocacy towards regime change riled the Zimbabwe authorities, providing political and rhetorical capital for ZANU PF intransigence. The SADC mediation adopted this approach, engaging first separately with both ZANU PF and the MDC, eventually paving the way for interparty negotiations and a political settlement in 2009, and the formation of the Inclusive Government 2009-2013. During the same process, the SADC mediators strongly articulated their position towards Western powers as clearly opposed to regime change, which had the potential to further destabilise Zimbabwe, preferring a domestic consensual settlement amongst the domestic conflict parties which allowed them to work together to collectively solve the problems bedevilling Zimbabwe. The SADC criticised Western sanctions imposed on Zimbabwe, further calling the West to remove them.

The nature and character of SADC regional diplomacy was heavily influenced by its historical contexts and evolution, mainly defined by the historical modern state formation, colonial, and anti-colonial struggles, the resultant political systems and regional culture of politics. African leaders emerged from largely nationalist struggles, to lead liberation party governments which subscribed to anticolonial ideologies, espoused ethos of national liberation steeped in self-determination, national sovereignty, resolving the continuing historical-structural legacy of colonial rule, strong close solidarity amongst former liberation movements and new governments which sought to insulate their domestic hold on power from contentious interventionist global politics, particularly post 1989. Since the formation of the MDC in 2000, ZANU PF reinvented itself as the radical pan African government, at least rhetorically, if not at policy level, resonating with many Africanists.

While rise of Western backed opposition political parties, proliferation of liberal NGOs and Trade Unions advancing liberal democratic politics, presented a real or imagined threat amongst incumbent regional liberation party governments. Liberation party government suspiciously view these liberal democratic institutions as political vehicles backed by Western governments to remove former liberation parties from power, to enhance the propagation of their leverage and interests in controlling and reshaping the form of regional and domestic politics in line with external Western interests. These views combined to complicate existing tenuous views and relations between much of the SADC states and major Western countries over the Zimbabwe conflict, and tempered the strategies that SADC adopted in dealing with the conflict parties in Zimbabwe. Admittedly, the SADC mediators had to deal with ZANU PF, and its government as an estranged ally, but they had to maintain close relations and contacts,

delicately pushing Harare, to revert to its national aspirations as espoused during the struggle for liberation, without being seen to be advocating for Western global interests perceived as hostile to the ZANU PF regime, and implicitly, the liberation party governments in the region.

Undoubtedly, SADC countries share a historical structural legacy of colonially induced land distribution contradictions which underlie persistent socio-economic contemporary challenges. Instead of explicitly supporting Mugabe and ZANU PF, liberation party governments in Mozambique, Namibia, South Africa and Tanzania used their historical relations with ZANU PF, shared solidarity and sympathy to counsel moderation and push for sustainable dialogue with the opposition MDC, turning their relationship with ZANU PF into diplomatic leverage exercised within the SADC mediation. Although these liberation party governments publicly supported the ZANU PF posture, they reportedly gave ZANU PF and Mugabe tough bilateral and regional counsel during closed door engagements and meetings.

The SADC adopted Summit diplomacy, using emissaries who reported to the SADC Summit and the Organ on Politics, Defence and Security during its formally scheduled meetings, as well as its Extra-Ordinary sessions, which are meant in crafting urgent responses to sudden crises. The SADC Summit and the Organ, being the highest decision-making bodies, attended by Heads of States or their executive representatives made binding decisions based on consensus, and ensured to list Zimbabwe as one of the major issues in all its meetings since 2007. SADC also held Extra-Ordinary Summits to attend to urgent matters arising from disputes over the implementation of the GPA. The SADC Extra-Ordinary Summit held in Tanzania in 2007 mandated South Africa's Thabo Mbeki to Formally lead its mediation in Zimbabwe. In 2008 Mbeki was again reappointed to continue the mediation process before he was replaced by Zuma. Several SADC Summits were held until 2013 to nurse interparty agreements between the Zimbabwe conflict parties to fully implement the GPA agreement. These events were high profile, and attracted high profile figures from regional, continental and international diplomatic representatives, as well as civil society actors.

The key players at the helm of the SADC during the Zimbabwe mediation were mostly leaders of former liberation political parties whose bonds were moulded during the anti-colonial struggles for self-determination and independence. Unsurprisingly, these leaders share ideological affinity and close solidarity, which many critics of the SADC mediation, particularly Western governments and media mistook for partisan favouritism and or soft handling of

Mugabe and ZANU PF by the SADC.¹⁰²² A combination of liberation war linkages , ideological and values- based affinity and historical personal and political social relational bonds provided Mbeki, and later , his successors during the mediation, exclusive leverage , which no other players at the time could muster. At the most critical phases of the SADC mediation in 2007 and 2009, Mbeki was the chief interlocuter and probably major voice on the Zimbabwe conflict, engaging with the Zimbabwe conflict parties within the SADC framework, while multilaterally engaging the major Western powers on this particular matter, and other urgent continental and international matters, linking the regional and SADC engagements to impact multilateral concerns on Zimbabwe.

Thus, the appointed regional mediator acted with the full weight of regional mandate largely rooted in consensual support by regional leaders to successfully push and commit the Zimbabwe conflict parties to dialogue and political settlement. Although Zimbabwe intermittently experienced cases of violent clashes and rights abuses since 2007, the conflict parties continued to defer their conflict issues to SADC mediation, while maintaining cross-partisan dialogue under the continuing SADC mediation process until 2013.

Consistent with Mbeki's and later Zuma's attitude towards the SADC mediation process, Mufamadi viewed the SADC mediation as an approach that privileged suasion and engagement over confrontation, coercive diplomacy or heavy-handed intervention. The SADC mediation focussed more on resolving and providing solutions to the problems at hand rather than taking a tough adversarial posture, which at best would be ineffective and at worst counter-productive.¹⁰²³ Mufamadi further suggested that SADC adopted an eclectic nuanced diplomatic approach, arguing that diplomatic approaches could not be universalistic, but rather be based on the varied domestic, local and regional dynamics to inform lasting solutions to obtaining problems in Zimbabwe and the region. Such an approach challenges the universality of diplomatic approaches and assumptions and means of solving conflicts, proposing a historical contextualised and shaped strategies of influencing peace processes and democratic transition. Thus, in this regard, the SADC mediation in Zimbabwe epitomised the application of nuanced diplomatic engagement against competing universalistic diplomatic approaches based on the view and need for the people and governments of Africa to demonstrate and share with the rest of the world a desire for a conflict-free sub-region and a peaceful world by

¹⁰²² Alderman, M.2004. Quiet Diplomacy: The Reasons Behind Mbeki's Zimbabwe Policy, *Africa Spectrum* Vol. 39, No. 2 (2004), pp. 249-276.

¹⁰²³ Mufamadi, S.2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.



increasing regional agency in ending domestic conflict, foster peace, political stability and democracy in Zimbabwe.¹⁰²⁴ Based on this approach, the SADC mediators successfully locked the Zimbabwe conflict parties in on-going negotiations first between 2007 until the 2008 elections dubbed the secret Kariba negotiations, and after the 2008 post-elections violence, continued the negotiations from 2008 to 2013.

The SADC mediation combined a bilateral approach led by South Africa with regional Summit diplomacy to persuade the Zimbabwe conflict protagonists to engage in direct formal negotiations since 2007, which led to the conflict parties to agree to a political settlement in 2009, culminating in the formation of the Inclusive Government in Zimbabwe from 2009 to 2013. Mbeki and his predecessors used a team of SADC facilitators of the mediation and negotiations, who were completely dedicated and understood the complexity and challenges associated with the Zimbabwe crisis as a combination of the unresolved colonial legacy, particularly concerning the land reform, poor economic policies and post-colonial undemocratic rule.¹⁰²⁵ While they were aware of the excesses of the Zimbabwe government, they correctly recognised that the demonisation and isolation of the Zimbabwe government and the ruling party could close avenues for helpful dialogue, rendering any prospects for a lasting solution futile.¹⁰²⁶ Admittedly, Mugabe reacted to criticism with scathing counter attacks, digging-in, intransigently rejecting efforts to engage with the opposition until 2007. Robust relations between the Zimbabwean opposition and the West between 2000 and 2007 realised unrecognisable movement towards political reforms in Zimbabwe. In fact, political repression and economic decline further worsened until the conflict parties engaged in official dialogue under SADC which eventually led to the formation of the Inclusive government in 2009, and political reforms and economic stability between 2009 and 2013.

Both Mbeki and Zuma, as well as their teams of facilitators embarked on shuttle diplomacy engaging with the key actors of the interparty dialogue, pushing and cajoling them, as well as engaging with the media and civil society to keep them informed of the mediation processes milestones and outcomes. They leveraged on their political mandate derived from the SADC, as well as relational political capital centred on personal appeal to convince the conflict parties

¹⁰²⁴ Mufamadi, S.2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.

¹⁰²⁵ Chikane, F.2012. Eight Days in September - The Removal of Thabo Mbeki, Johannesburg, Picador Africa.

¹⁰²⁶ Chikane, F.2012. Eight Days in September - The Removal of Thabo Mbeki, Johannesburg, Picador Africa.



that working together was the best solution for Zimbabwe and the SADC region.¹⁰²⁷ While some literature has referenced ideological and personal differences between Mbeki and Tsvangirai¹⁰²⁸, the MDCT President, as counter-productive to the outcomes of the mediation process. Such critics suggest that Mbeki's closeness to Mugabe smacked of favouritism towards ZANU PF, the SADC facilitators opened flowing doors of communication, forging lasting relations which enabled them to frankly engage on critical matters with the mediators, and amongst the conflict parties themselves.¹⁰²⁹

Although in his letter to Mbeki, Tsvangirai equally writes about his diminished faith in the Mbeki driven mediation in his discussion of events surrounding the MDC split in 2005, and questions Mbeki's conduct, particularly the failure to fulfil a promised meeting with him, and suspected underhand meetings or engagement with his deputies, he emphatically emphasises the MDCTs commitment to the SADC mediation.¹⁰³⁰ Tsvangirai explicitly stated that the MDCT considered South Africa a vitally important neighbour and member of SADC and his party remained fully committed to SADC's critical role and had no problem with South Africa's participation in mediation efforts.¹⁰³¹

The failure of Western criticism and sanctions to force ZANU PF to change course and the violent repression meted on the opposition and civil society pushed the MDC formations to solidly push for a regional solution to the Zimbabwe conflict. Since 2007 the MDC formations officials broke the glass of partisan political polarisation to engage in the face-to-face secret Kariba negotiations with ZANU PF. These direct negotiations were escalated after the 2008 elections deadlock, resulting in the GPA political settlement, gradually forging new relations which shifted political engagement from violence to dialogue, negotiations and political accommodation. Accordingly, by 2007, regional pan-African regional diplomacy was the only game in resolving the Zimbabwe crisis. The 2008 elections and post-elections violence disrupted the mediation process, however, post 2008 the SADC mediation gained a new momentum, pushing for intense high stakes interparty negotiations which eventually culminated in the formation of the Inclusive Government, 2009-2013.

¹⁰²⁷ Thabo Mbeki's letter to Morgan Tsvangirai, Politicsweb, 30 November 2008, <https://www.politicsweb.co.za/news>, Viewed 12 January 2021.

¹⁰²⁸ Letter to President Mbeki, Kubatana.net, May 13, 2008, <http://archive.kubatana.net/html/archive/polpar/>, Viewed 30 December 2020.

¹⁰²⁹ The New York Times, Lost Letter Raises Questions About Mbeki's Role in Zimbabwe, June 9, 2008, <https://www.nytimes.com/2008/06/09/world/africa/09zimbabwe.html>, Viewed 20 December 2020.

¹⁰³⁰ Bango, T.W. 2012. Morgan Tsvangirai—At the Deep End, Penguin Books.

¹⁰³¹ Letter to President Mbeki, Kubatana.net, May 13, 2008, <http://archive.kubatana.net/html/archive/polpar/>, Viewed 30 December 2020.



The SADC mediation successfully provided both a regional diplomatic platform, strongly backed by liberation party governments and new democratic states in the SADC region to render a binding mandate for the SADC mediators, obliging the conflict parties to stick to the process as the only pathway out of the Zimbabwe crisis. Mbeki, Motlanthe and Zuma, successfully sustained intractably complicated dialogue and tough negotiations amongst ZANU PF and the MDC formations. These negotiations took place bilaterally, at political party level, government to government, at SADC Summits and meetings of the Organ on Politics, Defence and Security. This process evolved from secretive formal inter-party dialogue between ZANU PF and the MDC formations called the Kariba negotiations for 18 months running from 2007 to 2008,¹⁰³² into the consolidated mediation, and comprehensive interparty negotiations which resulted in the formation of the Inclusive Government 2009-2013. From 2007, under the help of the SADC mediation, the Zimbabwe conflict parties adopted a raft of political reforms, some of which positively reshaped the electoral environment for the March 2008 elections, while comprehensive reforms were agreed and implemented during the tenure of the Inclusive Government.

Fundamentally, in the final GPA agreement signed between the conflict parties, ZANU PF and the MDC formations recognised and acknowledge the mandate, role and work of SADC, and the role of African institutions in seeking home grown solutions to African problems. They state that they pursued dialogue as determined at the SADC Summit in Dar es Salam in 2007, the SADC Summit in Lusaka in 2008, and the AU Summit in Egypt in 2008. Accordingly, ZANU PF and the MDC formations committed themselves to pursue the SADC mediated dialogue to find lasting solutions to the Zimbabwe crisis.

6.7 Teasing Out the Nature and Character of Pan-African Regional Diplomacy in the SADC Mediation in Zimbabwe

The SADC diplomacy in Zimbabwe was a master-stroke, adjusted to probably the most suitable outcome for such polarised intractable protracted conflict. The general tenets, nature, essential qualities and character of diplomacy entails a chain of ideal values such as honesty, integrity, truthfulness, politeness, fairness, strict conformity to protocol, secrecy and total commitment to national interests. While there are academic efforts to define, and distinguish

¹⁰³² Mhandara, L. and Poe, A. 2013. Mediating a convoluted conflict South Africa's approach to the inter-party negotiations in Zimbabwe, Occasional Paper Series: Issue 1, Accord, <https://www.accord.org.za/publication>, Viewed 28 December 2020.



other forms of diplomacy like the American diplomacy,¹⁰³³ or Chinese diplomacy,¹⁰³⁴ there is marginal effort to define, distinguish and understand African diplomacy or specifically SADC diplomacy in Zimbabwe to allow for deeper appreciation of its relevance, efficacy and achievements. Drawing from its historical context, SADC implemented homegrown solution in Zimbabwe, to address the breakdown of democratization, addressing a conflict which had defied Western global diplomacy.

The SADC diplomacy actively and persistently pursued the realisation of agreements to beneficially balance the interests of both ZANU PF and the MDC formations. Typical of diplomacy, the SADC mediation in Zimbabwe characterised a diplomatic norm rooted in dialogue, negotiation and political accommodation to promote peace, political stability and democratic installation while bridging protracted violent political polarisation to build unity promoting a sense of nationhood in Zimbabwe. In this regard, the SADC diplomacy constituted a diplomatically stylistic set of practices, institutions, and discourses which are crucial for the basic understanding of the historical evolution of the sub-regional diplomatic system, its evolving functional and normative efficacy in facilitating peaceful settlement of the Zimbabwe crisis.

The SADC diplomacy was rooted in the exercise of its soft power rooted in historical geo-political relations, the shared legacy of colonial and anti-colonial liberation struggles, as well as post-independence aspirations to advance post-independence aspirations and gains to broadly benefit historically marginalised citizens of SADC sub-region. Shaped by these historical experiences, SADC leveraged on its historical alliances, common regional interests, possible potential gains through exploring opportunities and the advantages of regionally managed dialogue in facilitating a political settlement to exit out of the Zimbabwe crisis based on regional multi-lateral regional diplomacy. More importantly, much research has demonstrated how the Zimbabwe crisis did not only negatively impact and socio-economic stability within Zimbabwe, but also development and stability within SADC member states like South Africa,¹⁰³⁵ Botswana and Namibia which bore heavy consequences from the Zimbabwe

¹⁰³³ Wiseman, G. 2011. Distinctive Characteristics of American Diplomacy, *The Hague Journal of Diplomacy*, 6, pg. 235-259, <http://bellschool.anu.edu.au/sites/default/files/publications/attachments/2017-05>, Viewed 20 October, 2021.

¹⁰³⁴ Niu, H. 2014. Party Diplomacy with Chinese Characteristics, in J. Yang. *Chinas Diplomacy*, Shanghai Institutes for International Studies (SIIS), pg. 415-476.

¹⁰³⁵ Qabobho, T, Wait, C and Le Roux, L, 2020. Exchange Rate Volatility, the Contagion and Spill over Effect from South African to other SADC Currency Markets: 2007-2015, *African Journal of Business and Economic Research*, Vol. 15, No. 2, pg.



crisis.¹⁰³⁶ Accordingly, SADC called for the end of punitive sanctions imposed by the West on Zimbabwean Government elites, emphasised the need for socio-economic and political stability and unity amongst Zimbabweans in solving their problems.

SADC remained committed to dialogue vested in the potential gains and attractiveness of peaceful negotiations to nudge the conflict protagonists from an exclusively conflictual majoritarian political system in Zimbabwe, which fuelled political polarization and partisan violence. In doing so, the SADC focussed on a long-term trajectory and opportunities from the Zimbabwe crisis beyond short term regime change as suggested in transitology, especially the over-emphasis on elections and regime change prescriptive, exclusively pushed by the West. The SADC focussed on negotiated political settlement and power sharing to foster political stability, as the foundation of broad-based democracy and legitimate elections based on norms, rules and values generated and mutually consented by Zimbabweans through their political representatives.

For SADC, democracy is not merely an instant of the successive disputed Zimbabwe elections, but entailed the process of restructuring of the Zimbabwe political system in fostering conditions for political stability through dialogue and negotiated agreements, followed by legitimate elections allowing Zimbabweans to make their sovereign choice of their political leaders without external pressure. In this way, SADC capitalised on the long term opportunities emanating from their understanding of the changing political context in Zimbabwe, the changing state of political parties and the political situation in the country which reflected the growth and popularity of the opposition MDC formations, parallel to the decline of ZANU PF, domestic violent interparty political contestation, fuelled by external(Western) meddling in the internal affairs of Zimbabwe within a broader context of the conflictual legacy of colonialism. For the SADC, cooperation between ZANU PF and the MDC formations provided better, more sustainable prospects for political stability, democratic installation and return to political legitimacy in Zimbabwe. Accordingly, SADC pushed the conflict parties to explore mutual concessions through diplomacy, working together to sponsor political reforms ushering a new political order.

The SADC diplomacy was characterised by several features which distinguished it from coercive main stream liberal diplomatic approaches associated with Western global interventionism. Such features were rooted in an Afro-centric emphasis on African continental

¹⁰³⁶ Hentz, J.J. 2004. State Collapse and Regional Contagion in Sub-Sahara Africa: Lessons for Zimbabwe, *Scientia Militaria: South African Journal of Military Studies*, Vol. 32, Number. 1, pg.



and regional agency driven by regional institutions, in this case the SADC. Through this process the SADC worked to provide home-grown continental and regional solutions to the democratization breakdown in Zimbabwe through regional mediation, dialogue and negotiations amongst the conflict protagonists to provide lasting domestic solutions substantially derived from the diverse interests of the conflict protagonists. The partisan polarisation in Zimbabwe deeply violently divided the country, implicating both the violation of democratic norms and historical structural socio-economic problems going back to racist colonial oppression. Thus, the SADC mediation rejected the intrusive external imposition of democratic norms in favour of regionally and domestically fostering the same democratic norms and values, such as elections, rule of law, constitutionalism and human rights, calling the conflict parties to embrace political accommodation as the institutional framework to implement political and economic reforms informed by the AU and SADC regional norms and standards, as crafted into the GPA agreement.

Critics of the SADC mediation and human rights activists suggest that the SADC process in Zimbabwe undermined regional commitment to democratic norms and values institutionalised in the Charters of the AU and its regional organisations, rushing to point to the AU and SADCs commitments to democratic elections and constitutional rule. They further called for strong coercive diplomacy and punitive sanctions as potentially more effective than the SADC mediation process in addressing the Zimbabwe crisis. However, SADC argued that coercive diplomacy had the potential to further aggravate a difficult conflict in Zimbabwe and within the region. In addition, a historical analytical perspective belies a coercive approach towards Zimbabwe for both South Africa as the leading mediator in Zimbabwe, and the SADC as the initiator and guarantor of the SADC mediation.

While South Africa, and Mbeki, in particular, was the for most instrumental architect of the SADC mediation, the SADC itself was the main institutional driver of the Zimbabwe mediation informed by its emerging diplomacy, institutions and ethos. South Africa painstakingly drove the SADC mediation drawing from its regional and continental foreign and diplomatic policies which rejected hegemonic tentacles from its mediation, in recognition of compelling historical and geo-political role self-definition which called for its responsible application in helping neighbouring African states by fostering medium to long term stability and democracy. This approach is reflected in its audacious but patient approach in first facilitating dialogue leading to an improbable political settlement, that according to Mugabe, culminated in a "new way of



political interaction," beyond polarised violent partisan bloodletting.¹⁰³⁷ As encapsulated in the rejuvenation of the AU, and its sub-regional institutions including the SADC since the 1990s, pan-African sub-regional diplomacy relied on home grown institutions to foster democratic norms, engendering home-grown solutions to endogenous crises in a manner that allowed African countries to chart their own path independent of external, particularly Western intrusive interventions.

The SADC historical bonds and diplomatic relation amongst its government elites dating back to liberation struggles against colonialism and racists rule to influence and soften the mutually intransigent and resentful ZANU PF and MDC leaders to cooperate largely based on vested trust and solidarity they wielded. Close relations, alliances and common, if not mutual ideological affinity between key liberation political parties and leaders provided critical diplomatic weight which drew the MDC formations to seek a solution within a regional framework, to draw much needed continental, regional and domestic African legitimacy. Equally, the success of the SADC diplomacy reflects the legitimacy and strength of evolving African diplomatic norms, institutions and agency drawing from the colonial and liberation struggles, as well as the quest for African self-definition, self-determination and self-reliance. The liberation ethos, experiences and ideologies constituted diplomatic institutions within SADC which actively rendered their roles to member states in advancing and realising diplomatic goals, hence once locked under the mandate of the SADC diplomacy, both ZANU PF and the MDC formations sought solutions and settled their differences within the SADC framework.

The SADC region is home to some of the youngest post-colonial states still dealing with the contradictions of state formation, nation-building and evolving home-grown pan-African regional diplomacy. According to Spies,¹⁰³⁸ the broader continental nature, character and remit of pan- African diplomacy is distinguishable by its critique to colonialism and imperialism and their web of neo-colonial machinations, co-opting and mutating with externally sponsored liberal democratic ethos as the neo-liberal agenda. Without rejecting the essence of liberal democracy and its implications for democratic transition beyond authoritarian rule which pervaded much of the African continent, the SADC diplomacy emphasised the capability of Africans to champion democratic installation rooted in their own historical existence, driven

¹⁰³⁷ The New York Times, 28 July 2008, The Harare handshake: Soft power, Africa style, <https://www.nytimes.com/2008/07/25/world/africa/25iht-letter.1.14785206.html>, Viewed 30 June 2021

¹⁰³⁸ Spies, Y.K. 2018. African Diplomacy. Chapter in Martel, G. (ed.) The Encyclopaedia of Diplomacy, London, John Wiley and Sons.



through their domestic agency as a continuation of the quest for the realisation of their national aspirations for genuine independence and freedom, reflected in their self-determination and national sovereignty. As further suggested by Spies, African diplomacy therefore drew from the existential and historical conditions and experiences of Africans simultaneously deriving from the precolonial traditional values to respect traditions and authority, collective decision making and importance of community over individuals as expressed in Ubuntu. African diplomacy was also shaped by the contradictory experiences of the colonial and post-independence era. Spies further recognises African diplomacy as characterised by the quest for justice and equality in international relations, emphasis on peace and development, predilection for African solidarity, integration, unity, consensual decision making at continental and regional multilateral level to confront historical continental marginalisation and vulnerability.¹⁰³⁹ According to Mufamadi¹⁰⁴⁰ and Chikane¹⁰⁴¹, the SADCs cooperative diplomacy and dialogue placed emphasis on the world's common humanity and its consequent interdependence in line with the tenets of African diplomacy to terminate instability and challenges of democratization in Zimbabwe.¹⁰⁴² Such diplomacy successfully terminated the deteriorating humanitarian situation, the breakdown of democracy in Zimbabwe, fostering political stability through political accommodation.

The SADC mediation was exclusively coordinated within a regional framework, formally accountable to the AU, resonating with the aspiration of African leaders to resolve their own endogenous challenges and political problems. To restate the intensity of the regional political agency and will to unlock the Zimbabwe crisis, between 2007 and 2013, the Zimbabwe crisis, and later, problems over the implementation of the GPA, which significantly affected the operationalisation and functionality of the Inclusive Government, became the main agenda items of the SADC Summits, meetings of the SADC Organ on Politics and Defence, and subsequently reporting sessions at every AU Summit of the same period. In spite of the teething internal contradictions which affected the Inclusive Government, the Zimbabwe

¹⁰³⁹ Spies, Y.K. 2018. African Diplomacy, in The Encyclopaedia of Diplomacy, Wiley Online Library, <https://onlinelibrary.wiley.com/doi/full/10.1002/9781118885154.dipl0005#pane-pcw-references>, Viewed 20 October 2021.

¹⁰⁴⁰ Mufamadi, S. 2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, The Roundtable, The Commonwealth Journal of International Affairs. Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pg. 621-630

¹⁰⁴¹ Chikane, F. 2012. Eight Days in September: The Removal of Thabo Mbeki, Johannesburg, Picador Africa.

¹⁰⁴² Modise, D. and Isike, C. 2020. Ubuntu diplomacy: Broadening soft power in an African context, Journal of Public Affairs, Volume 20, Issue 3, <https://onlinelibrary.wiley.com/doi/epdf/10.1002/pa.2097>, Viewed 10 August 2022.



Inclusive Government ran its full course as agreed in the GPA, operating from 2009 to 2013, and vastly improved the socio-economic and political conditions in Zimbabwe.

The SADC regional diplomacy was pan-African in character, centred on a process of dialogue, interparty negotiations, political accommodation in an inclusive government framework, as a road map to democratic transition, socio-economic and political stability. The audacious pernicious efforts to engender consensus were informed by a desire to mitigate the scourge of polarised divisive populism between both ZANU PF and the MDC formations in order to channel the national focus towards the installation of democracy, peace and stability permissive of socio-economic development. Processes of electoral competition since the 2000s fed into parallel populist partisan mobilisation which obliterated policy focus, and destabilised national cohesion. The impetus for a winner-take-all political system made it difficult for one political party, the ZANU PF, in this case, to peacefully let go of political power without any legitimate recourse to patronage, which was mainly situated within the state, since the heightened intransigence from ZANU PF. The fear of retributive justice to address historical domestic injustices committed since the 1980s, and internationally (Western driven post-transition justice) remained a worrying call amongst past and current ZANU PF leaders. ZANU PF elites genuinely believe that Western leaders were committed to punishing Mugabe and his associated political elites for the land reform in particular, and for daring to openly criticise their policies to the point of being on the same page with such countries as Iran, Russia, and China in terms of anti-Western advocacy and public criticism. Accordingly, the SADC diplomacy insulated fear and uncertainty amongst democratically competing political parties and elites, improving conditions for peaceful political alteration in office. As proposed by democratic transition proponents, peaceful change of force is one of the major tenets of democracy.

The Zimbabwe crisis became a theatre of global and African contestation over how African could apply themselves in resolving conflicts at home. The SADC diplomacy in Zimbabwe resolutely emphasised and successfully demonstrated the efficacy of African and sub-regional agency in resolving African conflicts. Critics of the SADC mediation in Zimbabwe generally overlook its domestic-regional efficacy by overlooking or missing its crucial aspects as regionally home-grown durable diplomacy rooted in African agency, driven by credible African statesman, which generated profound democratic dividends by fostering unprecedented political settlement under extremely challenging conflict in Zimbabwe.



The SADC mediation succeeded where Western sanctions and coercive diplomacy had totally failed to foster political stability and democratization. Critics of the SADC regional diplomacy and its mediation approach in Zimbabwe suggest that the SADC mediation was predicated on a naive approach of quiet diplomacy, which jeopardised its own commitment to peace and security.¹⁰⁴³ They further posit that the SADC mediation tendentiously tolerated impunity, by tolerating elusive gradual reforms, a weakness which undermined the credibility of the approach as a credible peace-making strategy,¹⁰⁴⁴ arguing that the mediation process was a form of bi-lateral mutual appeasement between liberation party governments in South Africa, Zimbabwe and much of the region based on enduring regional and national solidarity.¹⁰⁴⁵ However, the liberation struggle also provided a brotherly ethos upon which these former liberation leaders and liberation party governments based their relations to engage with each other through dialogue, in what they viewed as the most respectful ways, speaking truthfully in private, without suggesting that they were undermining their prickly peers, a form of less acknowledged soft-power uniquely available and exercised amongst government leaders in the SADC region, and to some extent African leaders, based on assumptions of Ubuntu.¹⁰⁴⁶

In spite of rich studies on the growing historical diversity, complexity and efficacy of contemporary diplomacy in promoting peace and democratization, much of the literature is Euro-centric and rooted in Western hegemonic epistemology which rejects or frowns upon African agency, self-understanding and interventions in resolving domestic conflicts.¹⁰⁴⁷ While there is growing literature and acceptance of the critical role of regional institutions like the SADC in promoting political security, stability and democracy, research on the SADC mediation in Zimbabwe tend to understate its role and impact as historical evolving home grown diplomacy. The SADC mediation approach sought a comprehensive and holistic, an inclusive legitimate government, based on stable functional society driven by the domestic parties to the conflict, realised through sustainable interparty dialogue to facilitate both political stability and democratic installation.

¹⁰⁴³ Mhango, G.A. 2012. Is Quiet Diplomacy in Consonance with Meaningful Peace-making in SADC? Lessons from Zimbabwe, *Southern African Peace and Security Studies*, Vol.1, Number 1.

¹⁰⁴⁴ Mhango, G.A. 2012. Is Quiet Diplomacy in Consonance with Meaningful Peace-making in SADC? Lessons from Zimbabwe, *Southern African Peace and Security Studies*, Vol.1, Number 1.

¹⁰⁴⁵ Graham, V.2006. How firm the handshake? South Africa's use of quiet diplomacy in Zimbabwe from 1999 to 2006, *African Security Review*, Volume 15, Issue 4, pp. 113-127.

¹⁰⁴⁶ Zondi, S. 2014. The Rhetoric of Ubuntu Diplomacy and Implications for Making the World Safe for Diversity, *African Journal of Rhetoric*, Vol. 6, No. 1, pp. 18-29.

¹⁰⁴⁷ Zondi, S.2016. A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice, *Journal for Contemporary History*, Vol. 41, No. 1, <https://journals.co.za/doi/abs/10.10520/EJC190426>.



Much of the literature on the SADC mediation of the Zimbabwe crisis focus on the criticism and weaknesses of either the mediators, their strategies, the GPA political settlement, the internal dynamics of the Inclusive Government, the 2009-2013 constitution-making process, contradictions in the negotiated reform processes, and the disputes over the 2013 elections, overlooking the basic or inherent features, character, or qualities of the SADC mediation as pan-African regional diplomacy, as well as resultant negotiated processes and institutions which were fundamental for the realisation of political and socio-economic reforms and stability necessary for inclusive democratization in Zimbabwe.

To restate a key focus of the literature, the SADC mediation is treated as synonymous with quiet-diplomacy, a term which was popularised to describe Mbeki's approach towards addressing the Zimbabwe conflict since the 2000s.¹⁰⁴⁸ While such a description reflects the inherent closed door approach based on interparty dialogue amongst the conflict parties with the mediators, which was insulated from the intense media attention and prying civil society actors, it falls short of broadly capturing the character of the evolving SADC diplomacy from cold war induced military alliances, bilateral and multi-lateral diplomatic approaches premised on dialogue under SADC institutions. While Mbeki was the main architect of the SADC mediation, having been consumed with the process since the early 2000s, its form, content, approach did not vary much under his predecessor, Zuma,¹⁰⁴⁹ with the mediation, continued interparty negotiation process, and implementation of GPA all pushed under the auspices of the SADC mediation. As is evident from a closer look at the SADC approach in Zimbabwe, it went far and achieved more than it is credited with. To recap much of the focus in the literature, quiet-diplomacy as discussed by many scholars of the SADC mediation in Zimbabwe tend to be reductionist, dominated by an overbearing negativity, dismissing it as a form of appeasement, limited in fostering peace and security, and ineffective when it comes to facilitating peace and democracy.¹⁰⁵⁰

Although the SADC mediation represents a pan-African approach to facilitating democracy and terminating conflict, many of the critics of the SADC mediation take a Eurocentric, Western view of international relations based on hegemonic theory. Such an approach presupposes coercive diplomatic approaches, weighted on the provision of carrots and sticks as political

¹⁰⁴⁸ Mhango, G.A. 2012. Is Quiet Diplomacy in Consonance with Meaningful Peace-making in SADC? Lessons from Zimbabwe, *Southern African Peace and Security Studies*, Vol.1, Number 1.

¹⁰⁴⁹ Langa, N.2020. The Jacob Zuma Era: South Africa's Foreign Policy towards Zimbabwe (2009–2018), *Journal of African Foreign Affairs*, Vol. 7, No. 2, pp.12-23.

¹⁰⁵⁰ Mhango, G.A. 2012. Is Quiet Diplomacy in Consonance with Meaningful Peace-making in SADC? Lessons from Zimbabwe, *Southern African Peace and Security Studies*, Vol.1, Number 1.



incentives or diplomatic leverage, with South Africa represented as either a regional hegemony or a middle power.¹⁰⁵¹ Furthermore, they are quick to selectively point to regionally evolving liberal democratic norms collectively and individually adopted by the SADC member states since the late 2000s as the singular measure of the SADC mediation without crediting the emergence of such norms as part of the wholistic emerging diplomatic norms influencing regional agency under emerging norms within the subregion and the continent. The generalised invocation of generalised regional democratic deficits as constraining the capability of SADC to enforce democratization implicitly presupposes an coercive liberal diplomacy as the only suitable approach, over the gradualist convergence on seeking home grown regional and continental diplomacy to terminate conflict and foster democracy in Zimbabwe, as in other African countries.

During the late 1990s, African governments reconfigured the continental and regional diplomatic agency with a focus on home grown continental peace and democracy initiatives which are located at the centre of their conflict interventions rooted in African and regional agency.¹⁰⁵² Since 2001 African governments created the New Partnership for Africa's Development (NEPAD), renewed the AU and the SADC, broadening their mandates, approaches and goals in addressing contemporary continental and regional challenges, generating common collective standards, which Mbeki and other African statesman embraced and sponsored enthusiastically. Furthermore, regional governments adopted new governance, democratic and electoral norms in an effort to assert and gain African self-respect, asserting the Africans rightful place in a globalized world, through efforts to navigate historical and contemporary contradictions which portrayed the African peoples and the continent as second class or inherently dependant colonial social, economic and political subjects¹⁰⁵³. African and regional governments also adopted the peer-review mechanism permitting African leaders to assess continental shortcomings in the pursuit of "democracy and good, political, economic and corporate governance," which liberal critics invoked without acknowledging the efficacy and contradictions facing robust emerging regional diplomacy, its prospects and contextual achievements in fostering democracy and political stability in Zimbabwe. These regional and continental reforms dove tailed into Mbeki's calls for an "African solution" to Zimbabwe and

¹⁰⁵¹ Prys, M.2008. Developing a Contextually Relevant Concept of Regional Hegemony: The Case of South Africa, Zimbabwe and "Quiet Diplomacy", GIGA Research Programme: Violence, Power and Security, GIGA German Institute of Global and Area Studies, Working Papers No.77

¹⁰⁵² Zondi, S. 2017. African Union Approaches to Peacebuilding: Efforts at Shifting the Continent Towards Decolonial Peace, African Journal on Conflict Resolution, Vol. 17 No. 1, pp.105-131.

¹⁰⁵³ Mamdani, M. 2018. Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism, Princeton, Princeton University Press.



other conflict countries in Africa through regional and continental diplomacy rooted in African agency as shaped by their historical experiences.¹⁰⁵⁴

Within the globally poisoned chalice of Western polarisation with the Mugabe government, and the domestic partisan divide in Zimbabwe, Mbeki and his predecessors insisted that they could mediate only if they maintained objective neutrality. Critics of the SADC mediation suggest that such neutrality effectively practically shielded Mugabe from reproach or pressure at a time when the ZANU PF state and non-state machinery continued with violent attacks on the opposition. As the SADC mediation progressed between 2008 and 2009, and the facilitators manoeuvred for a solution, Zimbabwe's economic ruin and political oppression admittedly spiked. However, the continued mediation and interparty dialogue intensified, making remarkable steps towards a political settlement which was gradually realised in 2009, culminating in the formation of the Inclusive Government and the writing of a new constitution.

In deflecting persistent pressure for an aggressive approach towards Mugabe and ZANU PF as called for by the West, the domestic opposition in Zimbabwe and much of civil society, Mbeki painstakingly stated that Zimbabwe was not a province of South Africa.¹⁰⁵⁵ For SADC, aggressive diplomatic posture as advocated by the West and many NGOs was futile, limited and risked inflaming a bigger conflagration from the Zimbabwe crisis spreading instability into the subregion. In 2013, Mbeki told Al Jazeera that the UK under former British Premier Tony Blair pressured South Africa to join the "regime change scheme", in a plot meant to militarily remove Mugabe from power, as Zimbabwe plunged deeper into political and economic crisis in the early 2000s.¹⁰⁵⁶ However, the position of South Africa, which became the consistent position of SADC was that Mugabe must not go, as he was part of the solution to the Zimbabwe crisis.¹⁰⁵⁷ The SADC rejected Western and British meddling into the affairs of Zimbabwe, insisting that it is neither the responsibility of the British or Western governments to determine who governed or led Zimbabwe.¹⁰⁵⁸ The AU and its sub-regional organs was opposed to the

¹⁰⁵⁴ Zondi, S. 2017. African Union Approaches to Peacebuilding: Efforts at Shifting the Continent Towards Decolonial Peace, Vol. 17 No. 1.

¹⁰⁵⁵ Mlambo, A.S. 2016. " Zimbabwe is not a South African province": Historicising South Africa's Zimbabwe policy since the 1960s, *Historia* vol.61, Number. 1, pp.18-40.

¹⁰⁵⁶ The Mail and Guardian(SA), Mbeki: Blair plotted military intervention to remove Mugabe, 28 November 2013, <https://mg.co.za/article/mbeki-blair-plotted-military-intervention-in-zim/>, Viewed 20 June 2021.

¹⁰⁵⁷ The Mail and Guardian (SA), Mbeki: Blair plotted military intervention to remove Mugabe, 28 November 2013, <https://mg.co.za/article/mbeki-blair-plotted-military-intervention-in-zim/>, Viewed 20 June 2021.

¹⁰⁵⁸ The Mail and Guardian (SA), Mbeki: Blair plotted military intervention to remove Mugabe, 28 November 2013, <https://mg.co.za/article/mbeki-blair-plotted-military-intervention-in-zim/>, Viewed 20 June 2021.



invocation of the RtoP norm as the basis for external military intervention in the affairs of African countries as it did not only violate their national sovereignty but fuelled more conflicts for example in the cases of Libya, and other countries outside Africa, such as Iraq and Afghanistan. They insisted on a solution based on internal domestic dialogue and negotiation amongst the conflict parties, hence Mugabe, as internationally, and partly domestically, as reviled as he was, continued to be an important player in finding a solution to the Zimbabwe crisis. Mugabe was not only popular amongst ZANU PF supporters, a Party which still controlled government and enjoyed a strong grip on structures and apparatuses of the state, including the Judiciary and the military, but also a respected statesman, continentally and internationally popular amongst some African leaders and people. As a neighbour, sharing common historical experiences and contradictions, and an ally, South Africa could successfully facilitate dialogue without alienating the government of Zimbabwe through political and diplomatically non-aggressive and non-intrusive approaches fostering mutual cooperation towards a democratic outcome out of the Zimbabwe crisis.¹⁰⁵⁹

At a time when African statesmen sought to assert African agency firmly entrenched on a continental project for self-renewal and renaissance¹⁰⁶⁰ providing for sub-regional home grown self-help in resolving conflicts at home, the West exerted immense pressure on Zimbabwe and the SADC bordering on ingrained or perceived racist contempt of Africa's own political ways as inadequate, including through sustained liberal civic sponsorship and problematic, if not biased liberal democracy promotion policies in Zimbabwe since 2000.¹⁰⁶¹ Mbeki, the mediators after him, and many African leaders together with Africanist analysts rejected such an approach as futile and contemptuous, postulating that for centuries Africans have been demeaned, exploited and trivialized by outsiders, particularly the West.¹⁰⁶² The SADC mediation in Zimbabwe therefore represented redemptive African diplomacy beyond the destructive liberal interventionism advocated by the West and their allies.¹⁰⁶³ The teams of facilitators of the SADC mediation rejected Western pressure as eroding the gains of sustainable regionally mediated negotiations, and broadly harming Africans in general by

¹⁰⁵⁹ Mlambo, A.S. 2016. " Zimbabwe is not a South African province": Historicising South Africa's Zimbabwe policy since the 1960s, *Historia* vol.61, Number. 1, pp.18-40.

¹⁰⁶⁰ Okumu, W.A.J.2002. *The African Renaissance, History, Significance and Strategy*, Asmara, Africa World Press.

¹⁰⁶¹ Masunungure, E.V and Banda, S.2010. The Internationalization of the Zimbabwe Crisis: Multiple Actors, Competing Interests, *Journal of Developing Societies*, Vol 26, Issue 2, pp. 207-231. doi:10.1177/0169796X1002600203.

¹⁰⁶² Chikane, F.2013. *The things that could not be said: From A (ids) to Z (imbabwe)*, Johannesburg, Picador.

¹⁰⁶³ Chikane, F.2013. *The things that could not be said: From A (ids) to Z (imbabwe)*, Johannesburg, Picador.



denying them of their identities and manners, including in the geopolitical context, undermining the processes of asserting African agency and the need for Africans to independently foster and uphold democratic norms, procedures and practises as informed by their historical and contemporary contradictions.¹⁰⁶⁴

The SADC mediation constituted and represented determined regional self-reliance, the use of home grown and self-defined regional soft power in resolving the Zimbabwe political crisis. Accepting quiet-diplomacy as an emerging regional ethos, at the heart of peaceful dialogue, mediation and negotiations in ending conflicts, SADC successfully managed to facilitate peace and stability in Zimbabwe, through patient, rigorously engaging diplomacy from 2007 to 2013,¹⁰⁶⁵ in spite of harsh criticism from within South Africa, in Zimbabwe and the West.

While the critics of the SADC mediation gloss over its foundational epistemic and historical roots born out of domestic, regional and continental struggle for self-determination, national sovereignty, political and economic independence, regional and continental solidarity which privileged behind the scenes and backdoor channels in resolving conflicts within the region rooted on friendly historical relations, African cooperative ethos of rooted in mutual respect and deference, its conferences and summits,¹⁰⁶⁶ it is a combination of these aspects which pushed Mugabe and ZANU PF towards political compromises since 2007. Contrary to suggestions by its critics that the SADC mediation was exceptional, based on regional ideological bonds, and failed to effectively apply South Africa's leverage or power as a regional hegemony, the Zimbabwe mediation process presented an evolving foreign policy option for South Africa and the SADC région based on the utilisation of domestic-regional soft-power to contain and resolve the extremely fluid and explosive Zimbabwe crisis without further inflaming the conflict, and worsening its regional ramification as a potential regional and continental contagion.

The SADC médiation navigated the scourge of state polarisation and désintégration in Zimbabwe through cooperative interparty dialogue, to shift the country from partisan violence

¹⁰⁶⁴ Mufamadi, S.2010. Lessons from African diplomatic initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, The Round Table, The Commonwealth Journal of International Affairs, Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pp. 621-630.

¹⁰⁶⁵ Adelman, M. 2004. Quiet-Diplomacy: The Reasons Behind Mbeki's Zimbabwe Policy, Africa Spectrum. Vol. 39, No. 2, pp. 249-276.

¹⁰⁶⁶ Mufamadi, S. 2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, The Roundtable, The Commonwealth Journal of International Affairs, Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pg. 621-630.



towards cooperative institution building towards democratic installation. While the long-term strategy centred on interparty dialogue resulted in interparty negotiations until 2013, the GPA political settlement provided a comprehensive basis for rolling institutional reforms and the successful making of a new constitution before the 2013 elections. A collaborative process of interparty negotiation and political accommodation achieved a political settlement and Inclusive Government in 2008. The signing of the GPA resulted in the installation of the Inclusive Government (2008-2013) constituted by members of both the MDC formations and ZANU PF. The Inclusive Government, in spite of its internal instability, provided Zimbabwe with a vibrant democracy, albeit, short lived one.

6.8 SADC Diplomacy and the Mediation of Democratisation Conflict: Regional Solidarity, Anti-colonialism and Anti-Imperialism in Zimbabwe

The SADC mediation, therefore, asserted pan-African diplomacy and emphasised the African anticolonial diplomatic posture, rendering recognisable traction to regional African agencies in diplomacy. SADC diplomacy in addressing the Zimbabwe conflict demonstrated traits of anti-colonialism and anti-imperialism. Admittedly, the SADC mediation variously exercised rhetorical support characterised by muted criticism of the ZANU PF government and showed solidarity and support for the Zimbabwe government.¹⁰⁶⁷ For the SADC the mediation process was pitched as reciprocal support to the people of Zimbabwe in helping them to solve their own problems, cognisance of their self-determination and national sovereignty, hence the process was sought to allow Zimbabweans to define their own path out of their problems.

Through such anti-colonial African diplomacy, the SADC mediation reaffirmed the efficacy of African diplomacy and international relations which is heavily informed by such concepts as Afrocentricity, African agency, Afropolitanism, Ubuntu, enriched by a cumulative ideational quest for African identity, home-grown independent thinking and actions in terms of its content, approaches and strategies to address domestic challenges.¹⁰⁶⁸ Such diplomacy presented a distinct form or style of diplomacy, critical of the legacy of colonialism, while directed at efforts to address collective experience and memory of subjugation and marginalization,¹⁰⁶⁹ based on the regional and continental quest for (global) justice and equality in international relations; the

¹⁰⁶⁷ Phimister, I and Raftopoulos, B. 2010. Mugabe, Mbeki and the politics of anti-imperialism, *Review of African Political Economy*, Volume 31, Issue 101, pp. 385-400.

¹⁰⁶⁸ Wekesa, B. 2020. Pathways for theorising African digital diplomacy, *Africa Portal*, <https://www.africaportal.org/>, Viewed 11 February 2021.

¹⁰⁶⁹ Spies, Y. 2018. African Diplomacy, in Martel (Ed.) *The Encyclopaedia of Diplomacy*. Wiley Online Library. DOI: 10.1002/9781118885154.dipl0005.



overriding imperative of development and peace achieved through diplomacy that plays up African solidarity, unity, integration, and rhetorical emphasis on African agency and independence.¹⁰⁷⁰

Quiet diplomacy or collective engagement as the main monikers which came to represent the SADC mediation in Zimbabwe reflected a united front by SADC member states to address democratization challenges in a member state through persistent regional diplomacy with the Zimbabwe conflict parties. The SADC mediation also reflected strong solidarity amongst liberation party governments through close relations between Mbeki and Mugabe, the ANC and ZANU PF, and both these parties with other former liberation parties in the sub-region, as well as former liberation party governments and leaders which provided an important channel for diplomatic engagement with both ZANU PF and the MDC formations, separately and together during negotiations. More importantly, once formal negotiations started, the SADC mediation also provided a channel of engagement for the opposition MDC formations and its leaders, previously marginalised from SADC processes. Between 2000 and 2007, SADC governments could not formally engage with the opposition MDC formations without incensing the ZANU PF government for interfering in the domestic affairs of a friendly neighbour. For example, close relations between the MDCT and President Khama strained relations with the government of Zimbabwe, which went to the point of accusing the government of Botswana of training Zimbabwean opposition militias and meddling in the domestic affairs of a neighbour.¹⁰⁷¹

SADCs pan African diplomacy, anti-colonial and anti-imperialist discourse and rhetoric resonated with many Africans, and constituted a strident liberating narrative and foundation for liberation diplomacy in the SADC region. It spoke to the contradictory legacy of colonialism, while addressing contemporary democratization challenge in the Zimbabwe crisis. Furthermore, it provided a comprehensive solution to structural historical problems such as the land question in Zimbabwe, supporting the principles behind the process of land reform program, while urging the government of Zimbabwe to stop violence and human rights violations. The Fast-Track Land Reform in Zimbabwe was located within a discourse of

¹⁰⁷⁰ Spies, Y. 2018. African Diplomacy, in Martel (Ed.) The Encyclopaedia of Diplomacy. Wiley Online Library. DOI: 10.1002/9781118885154.dipl0005.

¹⁰⁷¹ Mail and Guardian (SA), Zim accuses Botswana of plotting violence, 15 December 2008, <https://mg.co.za/article/2008-12-15-z>, Viewed 20 October 2020.

legitimate redress for colonial injustice, language which widely resonated on the African continent, and within the Third World more generally.¹⁰⁷²

Unity and solidarity amongst SADC countries was evident throughout the process of mediation. Baring the fallout between Botswana and Zimbabwe, and to a lesser extent when President Levy Mwanawasa of Zambia seemed to take a tough position against Zimbabwe, much of the SADC process showed united purposeful and respectful engagement with the conflict parties in Zimbabwe. SADC presented a united front against Western pressure on Zimbabwe mainly on the land reform, sanctions and rejection of regime change through coercive diplomacy. As a collective these issues represented neo-colonial pressure on Zimbabwe and SADCs revulsion to Western arrogant immersion into internal regional and domestic issues which the SADC could better resolve.

The SADC, AU and individual regional powers like South Africa made a point of rejecting Western intervention in such countries in Zimbabwe, just like in Libya, strongly emphasising the cardinal importance of national sovereignty, and the biased manipulation of liberal humanitarianism expressed through the R2P doctrine and liberal democratic discourse to institute regime change. They argued that democracy could best be built by Zimbabwean citizens as a collective working together across all political parties. Critics of the SADC mediation condemn its diplomacy for failing to hold Mugabe accountable and pushing him to change course. According to Mamdani Western powers sought to box Mugabe into a regime change agenda. Mamdani further drew the line between the ZANU PF excesses and Western culpability over the Zimbabwe crisis, asserting the legitimacy of the land reform, while recognising the efforts of SADC to seek political reform through dialogue, rejecting punitive measures vested on Western sanctions. While Mugabe and his advisors constructed alternative discourses around the need for renewed liberation struggle solidarity against the presumptions of liberal imperialism, denominated by the most violent and extensive land redistribution in modern times. The pan-African ZANU PF posture, and its land reform policies may have been politically opportunistic and partisan in implementation, however the redistribution of land in Zimbabwe radically opened access to land for many poor Zimbabweans and resonated with many Africans. As argued by Mamdani, in spite of his excesses, Mugabe did not solely rule by coercion but by consent, as his land reform measures, however harsh,

¹⁰⁷² Phimister, I and Raftopoulos, B.2010. Mugabe, Mbeki and the politics of anti-imperialism, *Review of African Political Economy*, Volume 31, Issue 101, pp. 385-400.



won him considerable domestic and regional popularity, not just in Zimbabwe but throughout southern Africa and the Global South.¹⁰⁷³

The SADC leaders rejected the imposition of Western sanctions against the Mugabe government, and embarked on multilateral and bilateral lobbying against coercive diplomacy, while patiently pushing the conflict protagonists towards political reform, political accommodation, and interparty dialogue towards an inclusive political settlement. Since 2007, SADC ensured that it collectively expressed its view that Western sanctions on Zimbabwe worsened the suffering of the ordinary citizens, threatened national sovereignty in Zimbabwe, worsened domestic polarisation in the country, and was unhelpful in moving inter-party negotiations forward. For their part, ZANU PF weaponised Western sanctions and pro-democratic regime change posture rooted in a combined humanitarian discourse and a minimalist pro-democratic narrative emphasizing the protection of human rights, rule of law and property rights to take an intransigent posture obstructing the SADC mediation, while rejecting Western intervention.

The SADC mediation, in principle, strongly backed the land reform in Zimbabwe barring the scourge of extensive property and human rights violations. They further partly blamed the Zimbabwe crisis on the failure of Lancaster House settlement to address the land reform, the failure of the British and American governments to fulfil their financial commitments towards a permanent solution to the land reform program which was also steeped in racist historical structural socio-economic and political relations underlying the polarised internationally and domestic relations characterising the Zimbabwe crisis between the global West (representing the interests of their white kith and kin), and the white people in Zimbabwe and subregion, and the black (African) indigenous people, which also played out politically as a partisan divide between liberation movement governments and the Western powers.

The historical and structural experiences amongst SADC member states, as much as overlapping liberation struggles fostered long-standing liberation alliances and strong solidarity which came to characterise the foundation of their diplomatic relations. While South Africa stayed as the mediator, Namibia and Mozambique were the strongest allies of the ZANU PF government, while Tanzania maintained mutual respectful relations.

¹⁰⁷³ Mamdani, M. 2006. Lessons of Zimbabwe: Mahmood Mamdani, London Review of Books, Vol. 30 No. 23 · 4 December 2008, <https://www.lrb.co.uk/the-paper/v30/n23>, Viewed 28 August 2021.

Throughout 2009 to 2013 to ZANU PF play hardball, rejected some of the agreed political reforms, arguing that sanctions aimed at regime change should be removed first, as they represented Western machinations to illegally remove it from power. Furthermore, ZANU PF pushed the MDC formations to deal with Western powers in ensuring that sanctions were removed as a precondition for political reforms. Although the MDC had campaigned for punitive sanctions as a deterrent to human rights violations, and a coercive incentive to force ZANU PF to take a politically moderate path, it became evident that once the MDC became a partner in the Inclusive Government, their leverage for the removal of sanctions was minimal, in not non-existent. Western sanctions became an on-going albatross to political reforms in Zimbabwe, including undermining the SADC mediation, with far reaching adverse socio-economic and political consequences on the country. The SADC, the AU and many African states have continued to reject Western sanctions on Zimbabwe as counter-productive, and a perpetuation of the colonial character of Western relations with African states undermining African agency, self- determination, national independence and sovereignty, key elements of diplomatic engagements amongst African countries.

Like the broader African diplomacy, the SADC pan-African regional diplomacy provide a counter narrative to Western hegemonic diplomacy beyond the negative experiences of Africans by focusing on progressive continental and regional renewal drawing from its past, infused with the modern and future aspiration for peace, political stability and democratic installation. Accordingly, the SADC mediation progressively infused the traditional values that Africans and the diaspora share, such as a seamless approach to the passage of time, respect for cultural tradition and authority, predilection for collective, unhurried decisions, and the prioritization of community rather than individuals. A community centric approach to the SADC mediation was reflected in Mbeki's efforts to ensure that both ZANU PF and the MDC were capable of collective mutually initiative to address domestic national problems in Zimbabwe, with the help of their African brothers, based on empathetic human interaction that correlates with the enduring value of diplomacy centred on continuous and constant intermediation and negotiation amongst the domestic conflict protagonists.

6.9 The SADC Diplomacy and First Breakthrough: The Kariba Negotiations Process and Outcomes

The Kariba SADC-mediated constitution negotiations were a major milestone during the SADC mediation of the Zimbabwe crisis. The Kariba negotiations resulted from the push for interparty negotiations at the SADC Summit in Dar es Salam in 2007. Although the Kariba negotiations



and outcomes are often under-discussed in the literature, the GPA agreement refers to them showing that they were important to the final settlement of the Zimbabwe crisis. Article 6 of the GPA acknowledged the negotiated draft constitution signed by the conflict parties in Kariba in September 2007, as a result of the first phase of the SADC mediation. The 2007 Kariba draft constitution is attached to the GPA agreement as annexure B, thus making it part of the final agreement. More importantly, the Kariba draft constitution became a major document of reference during the 2008-2009 negotiations, as well as the constitution-making process. Furthermore, the GPA recognised and embraced constitutional amendments No. 18, and No. 19, which were obtained from further SADC-mediated negotiations after the Parties parked the Kariba constitution draft just before the 2008 elections. The same negotiations resulted in further reforms which culminated in the conflict parties agreeing to core-sponsor reforming constitutional amendments to the Zimbabwe Electoral Act, Zimbabwe Electoral Commission Act, Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act (AIPPA), and Broadcasting Services Act (BSA). The three contentious laws, the POSA, AIPPA and BSA, were widely criticised by the opposition, civil society and Western donors as the ZANU PF government used them to violate freedoms of association, expression and media freedoms. Arguably, these negotiated outcomes improved the political-electoral environment as evidenced by the peaceful conditions under which the first round of the 2008 elections were held.

Although the Kariba negotiations produced the constitutional draft which was later ditched by the negotiating parties, the Kariba secret meetings provided the first face-to-face negotiations between the representatives of ZANU PF and the MDC formations laying the groundwork for future talks.¹⁰⁷⁴ The process which culminated in the Kariba draft constitution laid the foundation for shifting political contestation between the major political parties in Zimbabwe from exclusively partisan political violence as a form of political contestation to serious concerted dialogue with much clarity on the perceived goals and possible outcomes, as well as relations amongst the formerly violently opposing political actors. Fundamentally, where ZANU PF had used the state institutions and apparatuses to singularly access the regional community of states, it allowed the MDC formations to formally present and argue their case within a regional and national state-framework. In other words, the SADC mediation legitimated the MDC opposition formations, which were mostly delegitimised at home as appendages of the West. Through the SADC mediation, the MDC formations, which largely popular in Zimbabwe, but demeaned and derided by the ruling regime, were allowed access to utilise

¹⁰⁷⁴ Vollan, K. 2013. The Constitutional History and the 2013, Referendum of Zimbabwe; A Nordem Special Report, 2013, University of Oslo, Norwegian Centre for Human Rights.



both the regional and national state institutions as an equal partner to ZANU PF, totally shifting domestic politics in Zimbabwe from its exclusive singular domination by ZANU PF, both domestically and internationally, to multiparty representation through the main political party formations.

Although the Kariba negotiations were later superseded by the processes leading to the 2008 violent elections, they however fundamentally positively impacted the electoral processes and conditions for the 2008 elections conditions, environment and processes through amendments No. 17, 18¹⁰⁷⁵ and 19¹⁰⁷⁶ which relatively improved the electoral system, allowing the combined MDC formations to outpoll the ruling ZANU PF party, an unprecedented fit in any electoral contest in Zimbabwe since independence in 1980. When President Mugabe suddenly declared the dates of the 2008 elections based on the constitution of Zimbabwe which allowed the President to unilaterally declare elections dates, the SADC mediation team comprehensively pushed the conflict parties to agree on electoral reforms which could level the viciously contested and disputed administration and electoral policies, culminating in the Zimbabwe constitution Amendment No.18 and No.19. As permitted from these amendments, the opposition MDC formations were allowed to implement a comprehensive Polling and Voter Tabulation (PVT) to shadow the formal electoral institutions during voting, vote counting and the declaration of poll results, as a way to minimise electoral fraud. The MDC was able to collate much of the election results, given that the new laws also called for counting and declaration of election results to be done at every polling station, instead of the formerly centralised system, which only allowed for the centralised announcement of electoral results from the central office in Harare. For the first time in the history of Zimbabwe, ZANU PF complained that the 2008 elections outcomes were rigged because they did not have total control of the electoral process as they used to previously. The Constitution Amendments No. 18 and No.19 allowed for accountability and transparency by giving the opposition parties and civil society room to shadow government and possibly partisan institutions.

Most importantly, the electoral reforms and the SADC mediation process itself pushed the Zimbabwe government to ensure the most peaceful election ever experienced in the country during the first round of elections in which the opposition MDCT outpolled the ruling ZANU PF to the control of Parliament and all urban local government institutions and councils in the

¹⁰⁷⁵ Constitution of Zimbabwe Amendment (No. 18) Act, 2007, Veritas, <https://aceproject.org/en/regions/africa/ZW/Constitution%20of%20Zimbabwe%2>, Viewed 28 December 2020.

¹⁰⁷⁶ Constitution of Zimbabwe Amendment (No. 19) Act, 2008. , Veritas, <https://aceproject.org/en/regions/africa/ZW/Constitution%20of%20Zimbabwe%2>, Viewed 28 December 2020.



history of the country. The 2007-2008 Kariba negotiations also laid a foundation for the 2008-2013 process of regionally mediated negotiations which resulted in the formation of the Inclusive Government in 2009 as their format, form, structure, goals and aspirations were basically maintained in realising the sharing of power under an Inclusive Government.

The combined bilateral and multilateral regional diplomacy entailed a patient persistent process of mediation led by SADC facilitators based on delicate persuasion and cajoling of conflict parties, while striking a delicate balance with important regional norms, such as national sovereignty and self-determination, nationally entrenched values rooted and moulded from anti-colonial nationalist struggles for independence.

Amongst the government of Zimbabwe and many of its African peers, the historical role played by Western powers during colonisation, decolonization and post-independence did not foster firm mutual confidence. Although the USA, the UK, the EU and the Commonwealth community of countries supported post-independence socio-economic and political stability in Zimbabwe, they were viewed as uncredible brokers during the Zimbabwe crisis.

Western powers called for coercive diplomacy, while scathingly criticising and comprehensively undermining SADC regional diplomacy. Scholars and policy makers who favour coercive diplomacy gravitate towards coercive diplomatic means such as economic sanctions and the threat or use of limited military force over dialogue, or persuasive engagement as diplomacy.¹⁰⁷⁷ Since 2000, Western powers extensively united and collaborated in lobbying for the international isolation of Zimbabwe under the ZANU PF government. In addition to imposing targeted sanctions, they rallied international civil society institutions to shine the spotlight on human and property rights abuses in Zimbabwe, bunching the country as an outpost of tyranny and axis of evil, together with such countries as Iraq, Iran, North Korea, Afghanistan to African countries viewed as authoritarian including Eritrea amongst others, based on an assumption of American and British moral superiority over other societies.¹⁰⁷⁸ Based on such assumptions the USA, UK, EU and many of their allies redirected much of their traditional development aids supporting alienated domestic NGOs working on issues of governance and democracy to strengthen their capacity to exercise the watchdog role, and in some cases to collaborate and coordinate with the main opposition MDC,

¹⁰⁷⁷ Jentleson, B.W.2009. Coercive diplomacy: Scope and limits, theory and policy, in Jentleson, B.W. The Routledge Handbook of Security Studies, London, Routledge.

¹⁰⁷⁸ Dolan, C.J.2004. The Bush Doctrine and US Intervention, American Diplomacy, Volume IX, Number 2, https://ciaotest.cc.columbia.edu/olj/ad/ad_v9_2/doc01.html, Viewed 20 December 2020.



withdrawing much needed support from livelihoods and development work, leaving much of the Zimbabwean population exposed to worsening poverty and imploding socio-economic conditions, pushing the ruling ZANU PF to seek to monitor and regulate the funding of NGOs.¹⁰⁷⁹

During the 2000s, with the George Bush and Tony Blair administrations in the USA and the UK simultaneously acting in common purpose coercive diplomacy became the centre piece of international Western foreign policy, associated with coercive democracy promotion, good governance, protection of human and property rights, as encapsulated in the doctrine of liberal interventionism.¹⁰⁸⁰ The doctrine of humanitarian interventionism practically entailed the external intervention by the international community to directly or indirectly socially engineer regime change to replace tyrannical regimes oppressing and murdering their citizens, and the rights of democratic states to replace illiberal tyrants in the name of both the victims and the wider call of security for the ethically superior liberal parts of the world.¹⁰⁸¹ In an interview with Al Jazeera in 2013, Mbeki suggested that the former British Premier, Tony Blair plotted direct military removal of Mugabe and ZANU PF through military means, intensifying pressure on South Africa to join such a campaign.¹⁰⁸² Although this doctrine informed military interventions in Iraq, Afghanistan and Libya amongst other countries, such interventions inflamed current military violence and civil wars in these countries without achieving democratic stability. The SADC regional diplomacy stuck to an approach that privileges suasion and engagement over confrontation, based on a good understanding of the domestic conflict dynamics, and regional and continental contradictions, leveraging regional influence to ensure political stability, while fostering democratic installation.¹⁰⁸³ Coercive diplomacy as a form of communication and persuasion thrives on threats of violence or invasion, sanctions, ultimatums, the use of domestic and international media to stir and amplify dissent and criticism, structured as evolving media diplomacy, as demonstrated by much of the reportage of the Zimbabwe crisis by domestic private media and much of Western broadcasting and print media.

¹⁰⁷⁹ Moore, D.2005. ZANU-PF & the Ghosts of Foreign Funding, *Review of African Political Economy* Vol. 32, No. 103, Imperialism & African Social Formations, pp. 156-162.

¹⁰⁸⁰ Moses, J. 2006. The Bush/Blair Nexus: Recognising the Violence of Liberal Internationalism, <https://ir.canterbury.ac.nz/handle/10092/4961>, Viewed 20 December 2020.

¹⁰⁸¹ Moses, J. 2006. The Bush/Blair Nexus: Recognising the Violence of Liberal Internationalism, <https://ir.canterbury.ac.nz/handle/10092/4961>, Viewed 20 December 2020.

¹⁰⁸² The Guardian, Tony Blair Plotted Military Intervention in Zimbabwe, Claims Thabo Mbeki, 27 November 2013, <https://www.theguardian.com/>, Viewed 20 December 2020.

¹⁰⁸³ Mufamadi, S. 2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, *The Round Table, The Commonwealth Journal of International Affairs*, Volume 99, Issue 411, The Space of Many Voices–Zimbabwe since the Unity Government.



Western responses to the Zimbabwe crisis were chiefly rooted on vocal criticism of ZANU PF, particularly by the US and UK governments, which rightly or wrongly projected a determined effort to undermine the ZANU PF government. The ruling ZANU PF establishment viewed the amplified criticism of its rule by Western governments, media and civil society as a perpetuation of the regime change agenda intended to stir international and domestic public dissent against ZANU PF. Furthermore, the West assumed animated obsession with broad violations of human rights and property rights against white commercial farmers, and opposition supporters, projected inevitable collapse of ZANU PF, followed by regime in Zimbabwe, and went to rally international support for the suspension of Zimbabwe from the Commonwealth, before the imposition of targeted since sanctions in 2002. In 2013, Mbeki suggested that Western leaders considered undertaking military action to remove Mugabe and ZANU PF from power by invoking the responsibility to protect(R2P).¹⁰⁸⁴

Western coercive diplomacy deeply polarised relations with the ZANU PF government, resulting in the closure of any room for direct mutual diplomatic contact between the EU, the UK and USA governments and their allies, diminishing any prospects of mutual positive-some formal and informal exercise of leverage through diplomatic engagement. The imposition of sanctions, continues to present an on-going serious dilemma between Western countries and Zimbabwe on one hand, and the AU and the SADC on the other, as African states have persistently rejected them unjustified punitive burden on the citizens more than the elites, they are intended to punish with the intention of changing their political behaviour and conduct. Furthermore, sanctions deeply polarised relations between the ZANU PF government and the British, the USA and their EU group of EU allies, diminishing their potential leverage on with the ZANU PF government. To be fair the AU institutionalised Article 4, in its constitutive act, which permits it military to deploy military action in deviant states, many African states view such action as the last resort, while the majority of authoritarian states do not appetite for such self-defeating action. In response to the Burundian crisis of 2015, the AU threats to use military force against the Burundian government failed due to lack of popular support by African governments amongst other reasons.¹⁰⁸⁵ Broadly, in spite of the inclination of Western powers to use coercive diplomacy, its record is littered with long blood conflicts which inflames crisis situations into serious chaos and political instability which militates against the goals and

¹⁰⁸⁴ Howard-Hassmann, R.E. 2010. Mugabe's Zimbabwe, 2000-2009: Massive Human Rights Violations and the Failure to Protect, 32 Hum. Rts. Q. 898, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/hurg,> 30 December 2020.

¹⁰⁸⁵ Willen, D. and Williams, P.D. 2015. The Journal of Modern African Studies, Volume 56, Issue 4, pp. 673 – 696, DOI: <https://doi.org/10.1017/S0022278X18000459>.



objectives of peace, stability and democratic installation contrary to their oft traded rhetoric in support of such goals.¹⁰⁸⁶

The SADCs Zimbabwe mediation solidified evolving regional multi-lateral diplomacy, with emerging African statesman successfully exercising their agency to stem one of the most prominent political crises in Southern Africa, if not globally.¹⁰⁸⁷ Drawing from emerging African diplomacy, its content and mores, particularly the shifting customs, norms and political behaviour deemed acceptable amongst liberation party governments as influenced by the regional and continental historical experiences and contradictions. The SADC mediation proceeded simultaneously with profound institutional and structural changes in regional diplomacy to embrace democratic norms and values to foster peace and stability in the region and the African continent.

Equally, the SADC Summits held in various regional capitals became a theatre and space for some of the prominent talented African statesman to transition regional diplomacy from the liberation parties and independent states alliance system supportive of decolonial struggles for independence to a regionally institutionalised Summit system which could respond with urgency to political crises through mediation to foster democracy and good governance. The SADC Summit and its Organ on Politics became a major reference to address continuous problems in Zimbabwe through mediation, and inter-party negotiations between ZANU PF and the MDC. Instead of resorting to interparty political violence as the means to solve their political differences, the MDC and ZANU PF largely referred their conflicts and political differences to the SADC forums. Such SADC forums, especially between 2008 and 2011, attracted global political and media attention, more than at any other era of regional diplomacy.

While unsurprisingly, many analysts sought to use Zimbabwe as a test case for the evolving and reforming SADC diplomacy, they de-emphasize the importance of the SADC reform process, while under stating its successes in Zimbabwe. SADC Summits provided a multi-lateral platform for prominent African statesmen to exercise their commitment to diplomatic solutions in optimistically reshaping the African trajectory from a largely sceptical worldview

¹⁰⁸⁶ Jakobsen, P.V.2007. Coercive Diplomacy, Frequently Used, Seldom Successful, KUNGL KRIGSVETENSKAPSAKADEMIENS HANDLINGAR OCH TIDSKRIFT, https://kkrva.se/wp-content/uploads/Artiklar/074/kkrvaht_4_2007_3.pdf, Viewed 20 December 2020

¹⁰⁸⁷ Mufamadi, S. 2010. Lessons from African Diplomatic Initiatives in the Democratic Republic of Congo, Sudan and Zimbabwe, The Roundtable, The Commonwealth Journal of International Affairs, Volume 99, Issue 411: The Space of Many Voices–Zimbabwe since the Unity Government, pg. 621-630



propagated in Western epistemic products and literature, to a more optimistic institutional perspective which allowed major interventions and shifts in Zimbabwean domestic politics.

The transition of Mbeki's Zimbabwe engagement into a multilateral regional approach combined a quiet and patient process of bilateral negotiation with a regional multilateral approach, drawing the SADCs collective weight and bringing the consensual support of regional governments behind the mediation process. The SADC Summits painstakingly but fundamentally fostered consensus amongst the regional leaders on a strategic approach to stem the Zimbabwe crisis through dialogue and interparty negotiations. From 2007 until the end of the SADC mediation in 2011, SADC Summits consolidated its position to back dialogue and negotiations in Zimbabwe, ensuring that the conflict parties stayed in both the dialogue process and later, the Inclusive Government, grappling with the implementation of the GPA by way of mediated regionally mediated negotiations.

The Summits and meetings of the Organ provided diplomatic platforms for deliberation and collective decision making over the mediation, and later the implementation and continuous reviews and settlement of arising problems during the tenure of the Inclusive Government. Furthermore, the conflict parties constantly referred and deferred to the decisions of the SADC, although in some cases, they contested them, made efforts to deviate, or interpreted them from the perspective of their partisan interests to realise their partisan goals. After the GPA agreement, the MDC parties and ZANU PF quarrelled about the structure, composition and functions of almost all the new major institutions such as the roles the Council of Ministers, the Powers of both the President and the Prime Minister, Security sector reforms, particularly the role of the new Security Council headed in the Prime Minister's Office, and the implementation of the GPA, among others. By 2012, the MDCT and ZANU PF accused each other of running parallel government, that is, each party separately running government operations outside the parameters of the GPA. ZANU PF was particularly accused of siphoning millions of USD generated from the Marange diamond mines to exclusively fund its parallel operations, while the MDCT in particular was accused of using donor funding to run its parallel operations. SADC Summits and meetings became the main theatre for further negotiations and decision making which kept the Inclusive Government moving forward in spite of these challenges. Furthermore, all Parties to the GPA had open access to the facilitators and mediators, both under President Mbeki, and later, President Zuma, to present, represent, lobby, and register their complaints, in addition to seeking the support of other leaders. In this regard, SADC effectively locked its Zimbabwe diplomacy into its own structures, proactively addressed arising problems emerging from internal contradictions associated with both mediation and

implementation of the GPA, insulating its role from intense external pressure which risked putting its role in Zimbabwe in jeopardy.

The insulation of the process of mediation from dramatic publicity and extensive media exposure ensured that the delicate negotiations with the otherwise prickly Robert Mugabe and ZANU PF could be handled under total confidential engagement, and minimal disruptions which could push the populist ZANU PF government to recant both the process of mediation and their concessions if they proved to be unpopular amongst its social base. The Zimbabwe crisis attracted extensive media attention which raised the ire of the ZANU PF regime who viewed the global media attention as part of the Western onslaught to whip up global and domestic opposition in support of international imposition of sanctions and the regime change agenda harboured by Western governments.

Although the literature on the SADC mediation, the GPA and the GNU in Zimbabwe has grown over the years, much of it is caught on the heated polarisation of the moment and Zimbabwean politics, and therefore does not clearly focus on the process of political reforms and its dynamics. Much of the literature suffers from a mischaracterisation of the SADC mediation, its goals and prospects emanating from a shoddy understanding of its historical context and dynamics and a lack of understanding of pan-African diplomacy, its aspiration, and what was practically achievable in the Zimbabwean conflict given the complex depth and polarisation in the Zimbabwean conflict. Secondly, a decade after the SADC mediation and exit from the GNU, this research offers a sober objective analysis of the SADC mediation as African diplomacy assessing the challenges and prospects of the broader political reforms based on the transition paradigm and consociational democracy as discussed in Chapter 2, 3 and 4. As discussed in these previous chapters, the Zimbabwe conflict became the most prominent foreign policy and diplomatic issue facing the SADC leaders since the 2000s. However scholarly and policy debates on the impact and implications of the SADC mediation on the democratic transition in Zimbabwe continue to be heated and polarised. A lot of studies critical of the SADC mediation do not shed much light on transitional mechanisms and processes, and therefore downplays the important shifts in the Zimbabwean political system and reforms which gradually promoted democratization in Zimbabwe. Much of the debates rest on the criticism of SADC, and South African diplomacy, particularly, the approach under Mbeki, without adequately examining the complexities of the Zimbabwean conflict and the difficult domestic and internationally polarised context of the SADC mediation which limited its prospects consociational democratic outcomes, albeit, dominated by ZANU PF. Although Zimbabwe did not realise a complete change of government, the key to understanding the

SADC mediation is understanding the process of mediation, the institutions it created and how they transformed Zimbabwean politics.

Defining the crisis in Zimbabwe and pointing out its symptoms such as All the elections held since were marred by violence, intimidation and killings.¹⁰⁸⁸

6.10 The 2nd Breakthrough : The GPA and Democratic Transition in Zimbabwe

The second breakthrough in the SADC mediation of intrastate democratization conflict is discussed in both Chapter 5 and 6. To its sceptics, the realisation of a political settlement in Zimbabwe in September 2009 caught the many doubting observers by surprise, and many of them continued to be sceptical of its prospects. For supporters of the SADC mediation, the realisation of the GPA marked a profound achievement from home-grown diplomacy. The realisation of a political settlement demonstrated, to the denial, and possibly annoyance of many, that Africans are capable of solving their own problems, and that regional diplomacy remained an important peaceful approach to dealing with contemporary democratization conflicts.

As discussed in both chapter 5 and 6, the GPA emerged out of delicate regional diplomacy, to bring the MDC formations and ZANU PF to work together to end the Zimbabwe conflict. At the stage where the eruption of the 2008 elections violence and the continuation of the political deadlock seemed to have overshadowed regional diplomacy the SADC persuaded the conflict parties to agree to an MOU, followed by the signing a political settlement and the formation of the Inclusive Government ushering a new era in Zimbabwean politics. Unstable as power sharing governments are, the Zimbabwe Inclusive Government embarked on a process of political and economic reforms which returned Zimbabwe to stability in a short five-year tenure, ushered inclusive democratic transition in the country.

6.11 The SADC Diplomacy and Democratic Transition in Zimbabwe

The major role of the of the SADC mediation diplomacy in Zimbabwe was to return Zimbabwe to political and economic stability, and foster democratic transition. In the view of SADC partisan polarisation between ZANU PF and the MDC formations fed into a decade long breakdown of democratization which had a multiplier effect on long- and short-term signifiers

¹⁰⁸⁸ Zinyama, T. 2012. The Complexity of Democratic Transition: The Zimbabwe Case, 1999 to 2011, International Journal of Humanities and Social Science, Special Issue, Vol. Vol. 2 No. 12, pg. 136-153.



of the Zimbabwe conflict. As argued by Mair and Sithole (2002) Zimbabwe had morphed from a hybrid regime by 2000 into a blocked democracy, facing serious state imposed democratic reversal in human rights, rule of law and constitutionalism, citizen participation in government, and as civil society, government checks and balances, which impinged democratic political competition.¹⁰⁸⁹ Mair and Sithole (2002) further suggest that in the absence of peaceful change of government, either through government of national unity, either under the terms of the opposition or the ruling party, or ZANU PF being forced to step down by mass action or intervention of the army, the country faced prospects of escalation of violence into prolonged civil war, transitional or entrenched military rule, all regionally undesirable and unacceptable prospects given evolving spreading democratic norms in the SADC region.

The suppression of civil society and opposition led mass action in 2007, which triggered the first phase of the SADC mediation in Zimbabwe exposed, the opposition as lacking the capacity to muster such mass actions which could overthrow the ZANU PF government through a revolution.¹⁰⁹⁰ Although the ZANU PF government had depleted in terms of domestic popular support and legitimacy, it forged overlapping deep relations with supportive loyal security and military institutions to become violently repressive, closing democratic space. The 2007 violence which drew the first round of the SADC mediation, and its continuation in 2008, pointed to a festering political deadlock characterised by the breakdown of democratization, severe crackdown on the opposition and civil society, with prospects of exploding into prolonged civil war in Zimbabwe. The implosion of electoral deadlock in 2008 plunged Zimbabwe into extensive widespread political violence, reflecting a chain, patterns, strategies, tactics of violent political contestation with the potential to turn into a civil war,¹⁰⁹¹ with consequent grim regional contagion for the SADC region.¹⁰⁹²

The SADC diplomacy in Zimbabwe therefore focussed on establishing political stability through interparty political settlement, setting the country back to democratic installation. The realisation of the SADC mediated GPA political settlement in 2009, predicated on inclusive

¹⁰⁸⁹ Mair, S. and Sithole, M. 2002. Blocked Democracies: Case Study of Zimbabwe, Harare, Konrad Adenauer Stiftung.

¹⁰⁹⁰ Bekoe, D. 2007. Zimbabwe's Latest Crackdown: Responses and Consequences, United States Institute for Peace, <https://www.usip.org/>, Viewed on 17 November 2021.

¹⁰⁹¹ Raleigh, C. 2020. Violence and Politics in Zimbabwe from 2008-2018, in M. Tendi, J McGregor, and J. Alexander (Eds.), The Oxford Handbook of Zimbabwean Politics, <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780198805472.001.0001/oxfordhb-9780198805472-e-20>, Viewed 20 December 2020.

¹⁰⁹² Mlambo, A. and Raftopoulos, B. 2010. The Regional dimensions of Zimbabwe's multi-layered crisis: an Analysis, Election processes, Liberation movements and Democratic change in Africa, Conference, Maputo 11 April 2010, <https://www.academia.edu/35407322>, Viewed 20 December 2020.



negotiations and dialogue, and the creation of the Inclusive Government by the MDC formations and ZANU PF was the first step in bringing the conflict parties to work together in restoring political stability. The GPA set the conflict parties towards stemming political instability, arresting rapid economic free-fall, halting impending humanitarian crisis, paving the way for the full implementation of democratic reforms. The GPA provided for an inclusive approach to the resolution of the breakdown of democratic process, through cooperative participation by its signatories in fostering democratic transition leading to free, fair and credible elections, and a stable democracy in Zimbabwe. The presence of SADC as the guarantor of the GPA ensured that the political settlement and the Inclusive Government did not breakdown, and stayed committed to its terms in spite of implementation problems between the three parties to the agreement.

Since the SADC diplomatic efforts were launched in 2007 to find a solution to the breakdown of democratization process, the SADC facilitated interparty negotiations, which resulted in a political settlement rooted in political accommodation. The SADC mediation embarked on a process consociation as a path towards democratic transition, by embracing power sharing, new constitution, which was successfully agreed upon and adopted in 2013, introducing political reforms implemented through the Inclusive Government(2008-2013), creating inclusive and cooperative monitoring institutions for the GPA, inclusive and cooperative Commissions to deal with issues of political violence, protection of human rights , freedom of the media and national healing which cumulatively consolidated the resort to inter-party dialogue in addressing political problems in Zimbabwe, at least up to 2013.

In spite of the challenges of reaching such a profound political settlement, the Zimbabwean conflict parties signed the GPA on the 15th of September 2008, three months after the start of intense formal preliminary negotiations on the 10th of July 2008, marking a shift from confrontational violent politics, to cooperative regionally mediated dialogue over the collective implantation of the negotiated reform agenda represented by the GPA agreement. The GPA formalised regionally mediated interparty negotiations under SADC by the Principals of the three major negotiating parties, their deputies at various levels of the Inclusive Government to implement the agreed reform agenda, paving the way for a process of negotiation over the institutionalisation of the Inclusive Government and the implementation of political reforms it sponsored which lasted until the 2013 elections. While the first round of negotiations which ran from 22 – 30 July, and the second round from 3 – 12 August, were concerned with the composition and modalities of the Inclusive Government, the last phase of negotiations which ran from 9 September 2008 – until the 2013 elections focussed on the implementation of the



GPA. After formally committing the conflict parties to a negotiated reform trajectory by signing the Memorandum of Understanding (MOU) on 21 July 2008, providing the agreed framework for negotiations, the SADC embarked on a combination of shuttle diplomacy and conference diplomacy to mitigate its possible collapse, buttress the GPA political settlement, ensuring its full implementation.

Ultimately, the resultant 25th of July 2009 signing ceremony and meeting, the first ever meeting between Mugabe, the leader of ZANU PF, and then Head of State and Government, and the opposition represented by Tsvangirai leader of the MDCT, marked a shift from violent confrontation, to accommodative cooperative dialogue between the former conflict parties. Tsvangirai was Mugabe's chief nemesis since the late 1990s when he was leader of the Zimbabwe Congress of Trade Unions (ZCTU), and the 2000s when he led the MDC. More significantly, Mugabe, who had for a decade refused to formally directly meet the opposition, and Tsvangirai himself, whom he branded a traitor, and a trojan horse of Western interests, relented to formally meet with the opposition leader, finally recognising the legitimacy of the opposition MDC as legitimate representative of Zimbabwean people.

Through SADC sponsored consociation, which employed both bilateral and multilateral approaches, and emissaries to lead its mediation, Zimbabwe realised a political settlement which ushered a Government of National Unity (GNU), also called the Inclusive Government (IG), based on the Global Political Agreement (GPA). The GPA, a tripartite agreement between the two MDC formations and ZANU PF, committed the conflict parties to creating a genuine, viable, permanent, sustainable and nationally acceptable solution to the Zimbabwe situation, fostering stability and democratisation. Although the GPA was rooted in consociational power sharing, its agenda embraced a liberal democratic transition, albeit sequenced to follow on solid political stability. The GPA therefore institutionalised democratic transition in Zimbabwe in two ways, facilitating the creating of a new government which included the three main parties, the first of its kind since Zimbabwe exited the 1980-1990 Unity Government which was largely created at the sole discretion of ZANU PF. Secondly, the SADC mediated agreement set off a chain of dialogue and negotiated reforms, including constitutional reform, leading to the writing of a new constitution before the elections in 2013, broad political reforms which also covered electoral reforms which allowed the 2013 elections to be probably the most peaceful elections held in Zimbabwe since 1980, in spite of the electoral disputes which later emerged.



The SADC managed to persuade the conflict parties to agree to a broad sweeping document which reflects the conflicting interests of the three major parties to the SADC mediated negotiations, locking them into negotiations, dialogue and inclusive government. The GPA therefore allowed ideologically and historically different conflict protagonists engaged in mutually hostile partisan polarised violence for over a decade to cooperate and work together. By addressing both historical and contemporary socio-economic challenges (which are not necessarily the major issues of this study, serve to acknowledge them), and fundamental democratic transition issues such as political accommodation through inclusive government, the constitution-making process, political reforms and the introduction of commissions to comprehensively address the violation of human rights, the GPA set Zimbabwe on a comprehensive political transition and reform path. Through the JOMIC the SADC mediation capacitated political parties and their key organs with much needed capacity to cooperatively stem political violence, foster peace and stability, while keeping an eye on the implementation of the GPA, and hence the political transition process.

Throughout the tenure of the Inclusive Government, which was dominated by a process of political reforms, the SADC and the AU retained their positions as the guarantors of the GPA political settlement. As regional sponsored diplomatic path to democratic transition, the GPA stands out as a profound success case for African regional diplomacy as expressed in the mantra of “African Solutions to an African Problems,” given that political solution to the Zimbabwe crisis had been elusive for nearly a decade. While many issues have emerged in understanding the SADC mediation ranging from the mandate of the SADC in the context of promoting democracy,¹⁰⁹³ reform process based on the making of the new constitution, issues regarding transition justice,¹⁰⁹⁴ power sharing and security sector reform,¹⁰⁹⁵ the failure to address and resolve human rights issues,¹⁰⁹⁶ lost opportunity for lasting solution to the Zimbabwe crisis, challenges to national healing given historical and contemporary persistent political violence,¹⁰⁹⁷ the SADC mediated political settlement returned Zimbabwe to socio-economic and political stability, setting the country on a path to peaceful democratic transition.

¹⁰⁹³ AebY, M.2017. Stability and Sovereignty at the Expense of Democracy? The SADC Mediation Mandate for Zimbabwe, 2007–2013, *African Security*, Volume 10, 2017 - Issue 3-4: Unpacking the Mediation Mandate, pg. 272-291.

¹⁰⁹⁴ Bratton, M.2011. Violence, partisanship and transitional justice in Zimbabwe, *The Journal of Modern African Studies*, Volume 49, Issue 3, September 2011, pp. 353 – 380 DOI: <https://doi.org/10.1017/S0022278X11000243>.

¹⁰⁹⁵ Noyes, A.2013. Securing Reform? Power Sharing and Civil-Security Relations in Kenya and Zimbabwe, *African Studies Quarterly*, Vol.13, Issue 4, pg.27-52.

¹⁰⁹⁶ Manatsa, P.2014. A Critique of the 2008 Government of National Unity and Human Rights Protection in Zimbabwe, *International Journal of Humanities and Social Science Invention*, Volume 2, Issue 8, pg.

¹⁰⁹⁷ Marevesa, T. 2019. The government of national unity and national healing in Zimbabwe, in E. Chitanda, *National Healing, Integration and Reconciliation in Zimbabwe*, London, Routledge.



The SADC mediated political settlement paved the way for a new legitimate government, prepared the country for free and fair elections under a new constitution after a national referendum and made commendable strides in promoting medium to long term issues like national healing, cohesion, and unity to country which suffered more than a decade of violent polarised political contestation.

The SADC essentially transformed politics in Zimbabwe, especially during the tenure of the Inclusive Government, engineering a process of SADC mediated democratisation. The presence and involvement of SADC re-established optimism, confidence and faith in Zimbabwean political institutions and processes, and henceforth emboldening citizen participation in democratic processes civil society, the referendum, constitution-making and elections. The formation of the Inclusive Government culminated in a process of democratic institutionalisation. The opposition MDC formations, and particularly Tsvangirai's legitimacy and respect as a democratic leader was bolstered. The profile of the MDC formations was enhanced, as they played crucial democratic contestation role in both Parliament and the Executive, in addition to contributing or presenting their own candidates for key appointments in crucial offices within government, from the Commissions to organs of the state. The MDC formations were freely also relatively able to engage in their political programs and campaigns with minimum disruptions from the state. The presence of the SADC mediation, and its diplomacy served as a critical check on the wanton abuse of state power during the tenure of the Inclusive Government.

The SADC mediated reforms positively shifted the architecture and process of elections in Zimbabwe, facilitating the appointment of a new well respected and more professional Chairperson for the Zimbabwe Electoral Commission, Judge Makarau. Makarau was respected across all the parties, the MDC formations and ZANU PF. Her tenure was reputed for purposeful efforts to restore integrity and professionalism at the ZEC, including passing a flurry of electoral reforms, spearheading Amendments to the Electoral Act, which markedly improved the electoral environment and conditions in Zimbabwe as discussed in Chapter 5. The presence of the SADC mediation and its diplomatic involvement insulated the Zimbabwean electoral process from political violence and wanton electoral manipulation. In the run-up to the 2013 elections, both the SADC and AU dispatched teams to exercise pre-assessment of elections conditions in Zimbabwe to their satisfaction. SADC deployed about 600 elections observers in Zimbabwe, the largest number to be dispatched anywhere, in the history of the organization. The observers spend more than two months in the country, observing the pre-election, elections, and post elections processes in Zimbabwe to ensure that



the 2013 elections complied with regional and national domestic electoral standards and regulations. The SADC Troika of the Organ on Politics, Defence and Security Cooperation, Namibia, Tanzania, South Africa, and out-going Chair, Mozambique, also held a pre-election meeting to assess the pre-election conditions in Zimbabwe, concluding that the parties to the Inclusive Government had demonstrated great commitment to holding credible elections in 2013. These regional exercises provided critical oversight to the democratic transition process in Zimbabwe, which emboldened confidence in both the SADC mediation and processes of regional diplomacy in providing a lasting solution to the breakdown of democratization in Zimbabwe. The 2013 elections were peaceful, and were deemed credible by regional standards.

As suggested by Mamdani argues that the Zimbabwe intrastate democratization conflict was arguably one of Thabo Mbeki's, and the SADC mediations great success. The SADCs Zimbabwe approach sought to promote internal electoral and governmental reform strongly anchored on domestic political accommodation and political compromises amongst the conflict parties backed by concerted regional diplomacy. Mamdani asserts that the SADC mediation in Zimbabwe marked remarkable success of internal reform in Zimbabwe through regional diplomacy as an alternative to punitive external Western diplomatic interference. The SADC insulated Zimbabwe, and SADC member countries from externally driven, even imposed regime change, and possible consequent aggravated conflict as experienced in countries like Libya by promoting internal dialogue and reform, particularly that of the electoral and government systems.¹⁰⁹⁸ The SADC mediation focussed on building cross-cutting domestic partisan consensus for change through negotiations, dialogue, political accommodation, procedural and institution building to promote gradualist democratic reform towards democracy and political stability in Zimbabwe. Critics of the SADC mediation overlook the unique characteristics and processes of Pan African regional diplomacy, understate its achievements and therefore delegitimise or outrightly reject it as an aberration from mainstream Western diplomacy and mediation which could have facilitated democratic change in Zimbabwe. This chapter discusses the role and impact of the SADC mediation as Pan African diplomacy focussing on the implications of the regionally mediated dialogue, highlighting the democratic reforms and their impact on democratic transition and political stability in Zimbabwe.

¹⁰⁹⁸ Mamdani, M. 2016. Foreword, in S. M. Ndlovu and M. Strydom, *The Thabo Mbeki I know*, Johannesburg.



6.12 Conclusion

The SADC successfully applied a consociational approach based on dialogue, power sharing and political accommodation to foster political stability and lay a strong foundation for democratic transition in Zimbabwe based on the realisation of a new constitution through regional African diplomacy. The SADC leaders embarked on typical conference diplomacy, implemented at the top-most level of the regional body, working closely with the appointed mediators and their supporting facilitators to realise the objectives of the GPA, in terms of sponsoring a new constitution, political reforms, implementation of the GPA and fostering socio-economic and political stability. More importantly, in spite of the internal instability of power sharing governments, SADC managed to nurse the Inclusive Government through its full tenure, realising the implementation of much of its agreed agenda, solidly setting Zimbabwe back to political stability, and a path to peaceful democratic transition, making the Inclusive Government the most stable regime in Zimbabwe since independence in 1980.

CHAPTER 7: CONCLUSION

7.1 Introduction

This research set off to understand the role, outcomes and implications of the SADC mediation as Pan-African diplomacy (2007, and 2008-2013) to Zimbabwe's democratization conflict. The study employed concepts of regional Pan-African regional diplomacy in an effort to draw on an Afrocentric way of reading the SADC mediation based on an eclectic approach informed by the transition paradigm, and consociational democracy.

The research discussed the contradictions in Zimbabwe associated with intractable polarized violent conflict which was fuelled by mutated historical contradictions, and partisan democratization contradictions which informed the SADC regional diplomacy rooted in dialogue, power-sharing and political accommodation between the conflict parties as represented in Parliament in both 2007, and 2008-2013. The SADC-mediated interparty negotiations culminated in the signing of the GPA political settlement in 2008, the formation of the Inclusive Government which achieved transformative political reforms between 2008 and 2013, and the adoption of a new constitution through a participatory Parliament led process embraced by ZANU PF, the MDC formations and the Zimbabwean citizens at large.

The SADC played the role of mediator, facilitator and guarantor of the interparty negotiations fostering dialogue within a regional framework. As the guarantor of the GPA agreement, the SADC oversaw the full implementation of the settlement, which culminated in the implementation of political and socio-economic reforms in Zimbabwe. SADC managed to oversee and steer the Inclusive Government to run a full 5-year tenure as agreed in the Interparty MOU and the GPA. This was a remarkable diplomatic achievement given the polarized conflict in Zimbabwe, general instability associated with power sharing government in Zimbabwe in particular, and generally in Kenya and other parts of Africa, emanating from internal protracted violent long running rivalry.¹⁰⁹⁹

Contrary to critics of the SADC mediation who mainly focussed on regime change,¹¹⁰⁰ and the power dynamics in Zimbabwe's Inclusive Government overlooking its negotiated

¹⁰⁹⁹ Cheeseman, N. and Tendi, B.M. 2010. Power-sharing in Comparative Perspective: The Dynamics of 'unity government' in Kenya and Zimbabwe, *The Journal of Modern African Studies*, Volume 48 Issue 2, pp. 203 – 229.

¹¹⁰⁰ Matyszak, D. 2009. *The Negotiations and the Agreement Power Sharing in Zimbabwe*, Harare, KAS.



framework,¹¹⁰¹ the SADC diplomacy fostered dialogue and interparty negotiations which gradually shifted the conflict from violent physical violence, intimidation and violations of civil liberties towards negotiations amongst the conflict protagonists to achieve a political settlement. The realisation of the political settlement allowed the conflict parties to successfully establish the Inclusive Government and implement political reforms allowing for the institutionalization of democratic values and norms based on consociational approaches and power sharing.¹¹⁰² The SADC applied democratic consociationalism and power sharing given the depth of conflictual ethnic, racial and partisan polarization in Zimbabwe to end the conflict, while setting the country on a democratic path. Consociational approaches, power-sharing and dialogue heavily drew from African endogenous ways of resolving conflicts through persuasion and agreements amongst conflict parties through continuing dialogue.¹¹⁰³

This suggests that SADC regional diplomacy played an important role in breaking entrenched historical and contemporary entrenched intractable violent political polarization, reinforcing the view that regional organizations could play an important role in fostering democracy. By successfully resorting to dialogue and negotiations to foster consensual democratic installation in Zimbabwe through regionally home-grown diplomacy, the SADC mediation resonated with calls for African solutions to African problems, and the need to resort to home-grown solutions in ending conflicts Africa. By insulating the Zimbabwe conflict from coercive Western intervention and potential further escalation, the SADC regional diplomacy re-emphasized the resonance of regional solutions approaches which are centred on peaceful resolution of conflicts however difficult, while asserting the independence, sovereignty, historical existential and epistemic worth of Africans which has contentiously historical subordinated to racists Western interests, and Western epistemic, intellectual and policy hegemony.

Contrary to the minimalist assumptions associated with the transition paradigm which focussed on regime change, the SADC mediation as informed by successive election outcomes, including in 2008, viewed ZANU PF as part of the solution to the Zimbabwe conflict, than just the problem, which needed to be removed.¹¹⁰⁴ Rather, the SADC understood the extent of the

¹¹⁰¹ Matyszak, D. 2009. Matyszak, D. (2009). Power Dynamics in Zimbabwe's Inclusive Government. Harare, Research and Advocacy Unit.

¹¹⁰² Chigora, P. and Guzura, T. 2011. The Politics of the Government of National Unity (GNU) and Power Sharing in Zimbabwe: Challenges and Prospects for Democracy. *African Journal of History and Culture*, 3(2), pp. 20-26.

¹¹⁰³ Kabanda, U. 2012. Consociational Democracy in Africa. *American Academic Scientific Research Journal for Engineering, Technology, and Sciences*, 2(1), pp. 1-14.

¹¹⁰⁴ Moyo, S. 2014. The Manifestation of Regime Change in Zimbabwe in the 21st century, *Journal of Advances in Political Science*, 1(1), pp. 34-44.



problematic ZANU PF mutative power into the state and government, including the security and military institutions, the associated historical contradictions, particularly with respect to the land reform, the contemporary contours of conflict as reflected in violations of the rule of law, human rights, civil liberties and the parallel popularity of the major conflict parties, which marginally varied as reflected in elections outcomes between 2000-2008, however disputed. The margins of electoral popularity between ZANU PF and the MDCT was largely marginal and their singular legitimacy disputable and conflictual, but their combined legitimacy as the dominant representative political formations could not be disputed. Accordingly, the 2008 political settlement between the conflict parties resonated with the supporters of all the conflict parties.

The SADC diplomacy resonated with African agency through regional institutions and the quest to provide home-grown solutions, rooted in the historically informed self-consciousness informed by African self-understanding of historical and contemporary lived experiences within the SADC region. Accordingly, the SADC rejected the imposition of sanctions and the use of coercive interventions, preferring dialogue, negotiated political accommodation and the formation of Inclusive Government as agreed by the conflict parties.¹¹⁰⁵ The SADC mediation rejected coercive Western diplomacy associated with Western democracy promotion, and the proselyting around liberal democratic norms, to adopt proactive sustained dialogue, negotiations and inclusivity which provided gradual but lasting solutions to conflicts emanating from protracted violent partisan polarisation, as well as addressing historical causes of conflict in Zimbabwe.

The SADC-mediated GPA political settlement laid a democratic pathway of constitutional and political reforms leading to the realization of peace, political stability and consociational democratic installation. As suggested by Lijphart¹¹⁰⁶, Du Toit¹¹⁰⁷, Berg Schlosser,¹¹⁰⁸ Dlamini,¹¹⁰⁹ and Kabanda,¹¹¹⁰ consociationalism has been widely applied in ending conflicts in fragile divided conflict situations. Through the GPA political settlement, the SADC diplomacy successfully persuaded the mutually polarized, violently deadlocked conflict parties to create

¹¹⁰⁵ Lala, F. 2020. Africa in the Changing Global Order: Does African Agency Matter in Global Politics? In *The Changing Global Order*, Springer, Cham, pp. 127-143.

¹¹⁰⁶ Lijphart, A. 1969. Consociational democracy. *World politics*, 21(2), pp. 207-225.

¹¹⁰⁷ Du Toit, P. 1987. Consociational Democracy and Bargaining Power. *Comparative Politics*, 19(4), pp. 419-430.

¹¹⁰⁸ Lijphart, A. 1969. Consociational Democracy. *World politics*, 21(2), pp. 207-225.

¹¹⁰⁹ Dlamini, S. 2017. Historical Analysis of Power-Sharing and Consociational Democratic Practice in South Africa. *Ubuntu: Journal of Conflict and Social Transformation*, 6(1), pp. 7-35.

¹¹¹⁰ Kabanda, U. 2012. Consociational Democracy in Africa. *American Academic Scientific Research Journal for Engineering, Technology, and Sciences*, 2(1), pp. 1-14.



accommodative government institutions sharing executive government power, to work together in the Inclusive Government, paving the way for political stability and cooperative mutually negotiated democratic installation. Consociation in Zimbabwe was not only suitable for sustainable democratic installation, but resonated with many Zimbabweans, over exclusionary majoritarian democracy exercised under ZANU PF rule since 1980. To that extent, the SADC diplomacy was probably ground breaking in successfully eclectically promoting liberal democratic norms in Zimbabwe through regionally mediated democratic transition path whose key pillars were interparty dialogue, negotiations, political compromises, accommodation and inclusive government with a democratization agenda.

The outcomes of the SADC mediation ranged from conflict transition from violent polarization to interparty negotiations and dialogue, which mellowed entrenched partisan, ethnic and racial polarization. The dialogue between the conflict parties resulted in ZANU PF and MDC elites working together, creation of cooperative government institutions from the Presidency, the cabinet, National Security Council, legislature, cooperative policy making and conflict solutions as stated in the GPA. The constitution-making process resulted in the adoption of a new constitution in 2013, resolving the long-standing demands for new constitution, laying the foundation for a return to constitutionalism. The Inclusive Government embarked on international re-engagement to end Zimbabwe's isolation, starting international dialogue with the Western international community over the land reform, while returning to rule of law, upholding property rights and embracing civil liberties and a return to socio-economic and political stability reinforced through the implementation of democratic reforms.

The regionally mediated installation of the Inclusive Government marked the success of the emerging norm of home-grown consociationalism. By successfully locking the conflict parties in Zimbabwe into interparty dialogue, and the Inclusive Government to work together in solving domestic problems through dialogue, and mutual implementation of political and socio-economic reforms, the SADC mediation showed that the regional norm towards cooperative solutions to solve domestic conflicts could yield transformative results towards peace and democracy promotion at domestic and regional level.

Since the 2007 interparty negotiations, the key milestones realised from the SADC mediation include incremental political reforms and democratic gains such as Amendments No. 18, and No. 19 which improved the conditions under which the 2008 elections were held, improving the conditions in Zimbabwe closer to SADC norms on democracy and elections. Following the 2008 violent election deadlock, SADC intensified the push for ZANU PF and the MDC



formations to agree to the GPA political settlement, followed by the formation of the Inclusive Government of 2008-2013, creating a genuine representative multiparty parliamentary system including the MDC formations and ZANU PF, working together in the legislature and the executive arms of the government. Consequent reforms also resulted in the appointment of key civil service officials based on negotiations and compromises, a process which allowed the opposition formations to forward public servants of their choice into key government positions, opening the country to a process which culminated in fostering both political stability and democracy. The resultant Inclusive Government, 2008-2013, marked a return to political stability and democracy under a power sharing system based on political accommodation, transforming the Zimbabwean political system from exclusionary hegemonic single party dominance under ZANU PF since 1980.¹¹¹¹

By recognising the need to address the land reform, the SADC through the GPA, acknowledged the role, and need to address historical structural problems in permanently resolving the intrastate democratization conflict in Zimbabwe. As argued by Mukandawire, since 2000, Zimbabwe went through multiple transitions which were contradictory, and not always mutually supportive. The historical structural contradictions, particularly vested in the colonial land tenure systems fed into the contradictory democratization violence to fuel domestic conflict in Zimbabwe.¹¹¹²

The fundamental essence of African regional diplomacy in Zimbabwe was to foster political stability as the basis for gradualist democratic transition based on evolving norms of African diplomacy. Peace and political stability are crucial to democratic installation in the SADC subregion given its history of political insecurity until 1994. Shared historical political and socio-economic experiences and aspirations informed a nuanced diplomacy and democratic path influenced by evolving regional norms in the face of challenges and opportunities in dealing with a recalcitrant authoritarian member state.

SADC took a nuanced democratic path rooted in peaceful diplomacy, regional solidarity invoking the spirit and rhetoric of ubuntu,¹¹¹³ a self-awareness demystifying epistemic,

¹¹¹¹ Cheeseman, N., & Tendi, B. M. (2010). Power-sharing in comparative perspective: the dynamics of 'unity government' in Kenya and Zimbabwe. *The Journal of Modern African Studies*, 48(2), 203-229.

¹¹¹² Mkandawire, T. 2020. Zimbabwe's Transition Overload: An Interpretation, *Journal of African Contemporary Studies*, 38(1), pp.18-38.

¹¹¹³ Zondi, S.2014. The Rhetoric of Ubuntu Diplomacy and Implications for Making the World safe for Diversity, *African Journal of Rhetoric*, Vol. 6, No. 1, pp.



historical dehumanising and structural injustice to assert African agency,¹¹¹⁴ rooted in historical solidarity and shared aspirations,¹¹¹⁵ to foster political stability in Zimbabwe, opening a path to democratic transition. Suggestions that the SADC mediation was a saga of delays, secrecy, purported agreements and a failure,¹¹¹⁶ simply understates the complexity of the diplomatic and democratization challenges faced in dealing with the Zimbabwe conflict, and the achievements of SADC diplomacy in Zimbabwe. The SADC delicately exercised its mandate, drawing from its dynamic relations with Zimbabwe to achieve an enduring political settlement.

The AU and the SADC solidly backed a SADC diplomacy led by South Africa rejecting coercive diplomacy centred on military regime change, sanctions and external intervention which had the potential to exacerbate the conflict. Rather than detracting from promoting liberal democratic norms,¹¹¹⁷ South Africa as an emerging power, an exemplar of strong democratic institutions, used its influence to rally the AU and SADC, stylistically focussing on sponsoring dialogue towards political stability, followed by political reforms towards inclusive democratic institutions and negotiated democracy based on the 2008 political compromises. The empirical pressures and contradictions of South Africa's democracy promotion, typifying liberal democratic norm and human rights entrepreneurship in Africa in the early 2000s was resolutely shifted towards politically nuanced pragmatic diplomacy more responsive to the challenges in Africa.¹¹¹⁸ The SADC diplomacy in Zimbabwe characterised more responsive regional diplomacy in dealing with a neighbouring intransigent authoritarian regime and opposition, centred on regionally sponsored domestic internal dialogue as the basis for political stability, followed by political reforms leading to democratic transition.

In spite of criticism, SADC institutions took formal positions at the Summit level rejecting Western sanctions and ostracization of Zimbabwe calling for domestic interparty dialogue, supported by parallel engagement with international parties to back the Zimbabwe process. Such united diplomatic posture by both the SADC and the AU locked the solution to the Zimbabwe conflict into the hands of Africans, insulating Zimbabwe from aggressive external

¹¹¹⁴ Zondi, S.2016. A Decolonial Turn in Diplomatic Theory: Unmasking Epistemic Injustice, *Journal for Contemporary History*, Vol. 41, No. 1

¹¹¹⁶ Sibanda, M.M.2014. SADC Mediation in Zimbabwe's Global Political Agreement (GPA): A Reflection on Opportunities and Complexities, *Africa's Public Service Delivery and Performance Review*, Vol.2, No.2, <https://apsdpr.org/index.php/apsdpr/article/view/51>, Viewed 25 December 2020.

¹¹¹⁷ Khadiagala, G.M. and Nganje, F.2016. Democratic Emerging Powers, The Evolution of South Africa's Democracy Promotion in Africa: From Idealism to Pragmatism, *Cambridge Review of International Affairs*, Volume 29, Issue 4, pp. 1561-1581.

¹¹¹⁸ Landsberg, C.2000. Promoting Democracy: The Mandela-Mbeki Doctrine, *Journal of Democracy*, Volume 11, Number 3, pp. 107-121.

intervention, particularly from the West. The approach also reflected evolving African diplomacy rooted on African self-awareness, assertive national and regional self-determination rooted in African solidarity and historical alliances. Although critics of the both quiet-diplomacy and SADC diplomacy suggest that these principles smacked of partisan support for Mugabe, the evidence suggest that the SADC was able to draw from shared historical experiences, mutual solidarity, sensitivity to national sovereignty and brotherly historical relations amongst African leaders as diplomatic leverage to counsel Mugabe and ZANU PF into dialogue and interparty negotiations with the opposition MDC formations. Such dialogue achieved a political settlement allowing for the formation of the Inclusive Government in 2008.

The SADCs Pan African regional diplomacy in Zimbabwe reflected the consolidation of the evolving regional institutions and norms, its regional organs, conferences at the Summit of Heads of States and the Organ on Politics, Defence and Security and the role of African leaders in fostering democracy. The SADC became the main, if not the sole referral institution to broker a deal, and nurse it into full implementation by the conflict parties in Zimbabwe, civil society and the international community.

SADC leaders, most of whom with impeccable liberation struggle credentials, were committed to the independence and development in Africa, shared collective historical aspirations for political stability and democratic transition in SADC member countries. The SADC diplomacy on Zimbabwe sealed the regional body, and its leaders as important diplomatic players and statesman capable of dealing with domestic and regional conflicts and fostering democracy.

7.2 The Impact and Implications of the SADC Mediation as Pan-African Diplomacy in Addressing the Intrastate Democratisation Conflict in Zimbabwe

The SADC diplomacy broke protracted mutually intransigency and violent resentful rivalry between ZANU PF and the MDC formations, initiating on-going dialogue which culminated in interparty negotiations, implementation of the GPA, and democratic stability in Zimbabwe from 2008 to 2013. The SADC diplomacy transformed the authoritarian political contestation in Zimbabwe, to a more tolerant, inclusively representative political system, which legitimately, based on the 2008 elections, brought ZANU PF and the MDC formations to work together in the Inclusive Government. This process shifted the political system from hegemonic single party dominance to a more pluralist multiparty system, representing the former ruling party and former opposition into the same government, as reflected in the legislative elections of 2008,

thus consolidating Zimbabwe's Parliamentary democratic system based of diffusion, as opposed to exclusionary concentration of political power in one political party, the ZANU PF.

The SADC sponsored political reforms shifted political rivalry from partisan violence to political accommodation. After the signing of the GPA, partisan political violence progressively diminished resulting in political and socio-economic stability, not realized since 2000. Secondly, the conflict parties agreed on negotiated path towards democratic transition. Between 2007 to 2013, incrementally introduced far reaching democratic reforms, although deemed inadequate by the critics of the SADC mediation, set Zimbabwe on a path for stable democratic installation. The conflict parties also embarked on agreed constitutional reforms, leading to the writing of a new constitution, which was subjected to a referendum and adopted towards the 2013 elections. In addition to constitutional reforms which enhanced democracy in Zimbabwe, the SADC worked with the conflict parties to introduce additional political reforms in the run-up to the 2013 elections to ensure that the electoral process and conditions complied with regional norms. The 2013 elections were the most peaceful electoral contestation in Zimbabwe since 2000. Both the AU and SADC observers passed the electoral process and outcome was free, fair and credible, noting areas which could be improved to enhance democracy in Zimbabwe.

The process to produce a new constitution was based on broad citizen participation and interparty negotiations resulting in a widely accepted constitution after several failed processes since 1980. Furthermore, SADC facilitated the implementation of the GPA, ensuring that in spite of emerging conflicts, the conflict parties continued with the negotiation and implementation process. Fundamentally, the SADC mediation transformed political contestation in Zimbabwe from violent, exclusionary, winner-take-all political system, to home-grown consociationalism based on negotiations, political compromises and political accommodation under the tenure of the Inclusive Government, 2008-2013.

The SADC mediation laid a strong foundation for on-going democratic transition under inclusive political contestation based on political compromises to ensure political stability and accommodation as the basis for democratic transition. This process also shifted the behaviors of opposing political elites and their supporters to more peaceful ways of expressing political dissent characterized by political tolerance as opposed to mutual partisan polarized and violent resentment which fueled political violence.



7.3 Regional Pan-African Diplomacy as Path to Political Stability and Democratic Transition

The SADC mediation provided a path out of the Zimbabwe conflict, which fostered democratic installation based on dialogue, political accommodation rooted in power sharing, fostering democratic transition. Although the transition paradigm proposes various mechanisms, including those involving pacts amongst political elites, it does not dwell on regionally mediated pacts as mechanisms for democratic transition. While the literature on consociational democracy rests on the role of various consociational mechanisms to end conflicts through democratic power sharing, it does not dwell on regional mediation diplomacy as a path to democratic installation. This lacuna may suggest that the SADC mediation broke new ground that warrants further research on the role, impact and outcomes of regional diplomacy to democratic transition.

As a path for negotiated transition, SADC diplomacy successfully locked the Zimbabwe conflict parties which eventually culminated in the GPA political settlement. Given the coercive strength of ZANU PF, and its embeddedness into the government and state institutions, as well as its huge popularity, in spite of its decline, ZANU PF as the incumbent exerted weighted influence on the regional diplomacy to shield its interests.

Like other regional institutions, the SADC applied different forms of leverage, derived from historical shared experiences, regional solidarity, a pan-African sense of mutual belonging and a shared desire for a peaceful democratic region, unique African relations of political brotherhood which made dialogue and persuasion convincing traits in convincing the conflict parties to commit themselves to the SADC process. The success of the SADC mediation, even with the challenges it faced, adds a new path to democratic transitions beyond protracted election deadlocks. However, the power dynamics between the conflict parties, and growing skepticism with the process amongst the Western international community narrowed the scope and impact of the SADC mediation beyond what could be possible achieved through the GPA political settlement.

Regional diplomacy as a path for democratic transition therefore took a narrower, gradualist trajectory which focused on achieving political stability, based on interparty negotiations and inclusive power sharing government followed by democratic reforms to create conducive conditions for democratic legitimate elections. In spite of their complex challenges with negotiations, structuring and implementation, peace agreements and political settlements have

become something akin to a model in Africa, playing an important role,¹¹¹⁹ including in the SADC diplomacy to create conducive conditions for democratic transition.

The SADC diplomacy in Zimbabwe worked to achieve political and socio-economic stability as the foundation for inclusive democratic transition. In the view of SADC, what was at stake in the Zimbabwe intrastate democratization conflict was not merely, and, only a threat to democracy, but the problematic ramifications of cyclical violence linked to electoral competition, and its potential to escalate into a civil war fueled by international interests, with the risk of inflaming a bigger and more complex regional socio-economic and political destabilization contagion, like the cases of Libya and Iraq.

While the SADC subscribed to democratic rule as evidenced by its adoption of democratic norms, its diplomacy recognized the challenges of historical and contemporary conflicts as the major threat to democracy and socio-economic progress. Inoculating the destabilizing violence in Zimbabwe laid the major foundation, opening the path to negotiated inclusive democratic transition. Accordingly, the SADC diplomacy took the path of interparty negotiations and political compromise to reach a political settlement, the GPA, which committed the conflict parties in the Inclusive Government constituted on the principle of inclusive political accommodation on a path to democracy as agreed by the parties themselves. Furthermore, the SADC used the results of the 2008 Parliamentary elections to distributed and share power in the Cabinet and the Presidency allowing electoral outcomes to determine positions and ministries held between the MDC formations and ZANU PF in order to preserve political stability, while allowing political reforms.

Secondly, the SADC diplomacy sponsored gradually negotiated inclusive pluralist democratic transition beyond the exclusionary and conflictual winner-take-all majoritarian democracy. Such practices allowed the winning party to take and dominate all the spoils, leaving nothing for the other contestants, however big their constituencies, or performance in elections, thereby diminishing and rendering representation of the losing factions to the whim and willingness of the winner. In the context of the hugely polarized Zimbabwean conflict, where ZANU PF continued to marginalize the losing factions and their constituencies, coercively pushing them to acquiesce to its rule, opposing resistance simply fueled further deeper conflict until the formation of the Inclusive Government in 2008.

¹¹¹⁹ Spears, I. 2000. Understanding Inclusive Peace Agreements in Africa: The Problems of Sharing Power, *Third World Quarterly*, Vol 21, No 1, pp 105-118.



The SADC diplomacy however recognized the 2008 elections deadlock and subsequent disputes over power-sharing. Through its role as the guarantor of the GPA, the SADC continued to oversee the implementation of the GPA until 2013.

The SADC sponsored a nuanced process which focused on political stability, followed by democratic reforms. While democratic transitions are generally marked by regime change, the SADC strategy pushed for power sharing, drawing from consociationalism, to promote home-grown consociational government in Zimbabwe. Given the violent political deadlock in 2008, the SADC could not have pushed regime change under either ZANU PF or the MDC formations without risking costly escalation of the Zimbabwe conflict. As the mediator and guarantor of the regional diplomacy, SADC chiefly mitigated political and democratic uncertainty to ensure that the conflict parties invested their interests in a negotiated exit out of the conflict. In the short term, both ZANU PF and the MDC formations found negotiations under the SADC more appealing as it secured their political interests for the time being. Fundamentally, the SADC diplomacy held that persuading the conflict parties to share the benefits of working together in the Inclusive Government would turn their conflict into a positive-some game which could foster medium to long term pluralist democratic transition. Although in the short to medium term, Zimbabwe made remarkable strides towards democratic elections in 2013, post the SADC mediation, and the end of the Inclusive Government, the country plunged back into conflict and crisis.

The SADC diplomacy during the Zimbabwe conflict therefore embraced an eclectic path to democracy rooted on a democratic path which integrated aspects of the transition paradigm. As suggested by Fayemi Africa lacks a theory of democracy of its own, although democracy is accepted to be universal.¹¹²⁰ Fayemi therefore concludes that eclecticism in both the practice and conceptualisation of democracy within the different political systems, embracing indigenous democratic values and practices as well as democratic ideas from other cultural traditions can provide a resonant African theory and practice of democracy. As Fayemi further states, eclecticism leads to consociational democratic principles, and could help in solving many of the contemporary socio-political problems besetting current democratic experiences in Africa.¹¹²¹ The SADC diplomacy fostered socio-economic and political stability, while creating conditions for democratic transition through political accommodation and power-

¹¹²⁰ Fayemi, A. K. 2009. Towards an African theory of democracy. *Institute of African Studies Research Review*, 25(1), 1-21.

¹¹²¹ Fayemi, A. K. 2009. Towards an African theory of democracy. *Institute of African Studies Research Review*, 25(1), 1-21.



sharing, ending the violent intrastate democratization conflict in Zimbabwe. As rightly sponsored through the SADC, endogenously negotiated consociationalism is more favourable for political stability and democratic transition in Africa.¹¹²²

7.4 South Africa's Leadership of the SADC Mediation as the Facilitator of Pan African Regional Diplomacy: An Effective Facilitator and Arbiter

South Africa was the main driver of SADC Pan-African diplomacy to settle the Zimbabwe conflict. However, the overbearing assessment of its role based on liberal institutionalism detracts from shedding insight of understanding its balanced role in understanding the SADC mediation. Understandably, Mbeki and Zuma carried relative moral ground following the achievement of democracy in 1994, the respect of South Africa as a constitutional democracy, and the biggest economy in Africa. However, their credibility in working within the SADC framework, shared historical experiences and empathetic understanding of the perverse interlinked historical and contemporary contradictions in Zimbabwe helped South Africa to navigate the Zimbabwe conflict to a settlement. More importantly, the weight of the AU and SADC since 2008, rendered South Africa the leverage it lacked during the bilateral mediation known as quiet-diplomacy, and transformed the influence of the mediators, with much urgency, focus and overt continental and regional support, as promoting regional community interests in ending the conflict whole perverse implications threatened to derail both the sub-region and the continent. Particularly since 2008, addressing the Zimbabwe conflict was an urgent interest of the SADC and the AU, as it heavily weighed on the development aspirations of Africa, while the increasingly loud Western criticism detracted regional and continental focus from other pressing issues.

South Africa successfully cajoled the intransigent, mutually resentful and violent Zimbabwe conflict parties to end violence, and resort to a negotiated path in addressing domestic problems. There are many studies on South Africa's quiet-diplomacy towards Zimbabwe,¹¹²³ and the role of South Africa as a middle power, and liberal democratic norms entrepreneur,¹¹²⁴ its limitations in democracy promotion and eventual shift from the problematic liberal democratic and human rights basis of its foreign policy to a more nuanced approach

¹¹²² Kabanda, U.2014. Consociational Democracy in Africa, American Scientific Research Journal for Engineering, Technology, and Sciences (ASRJETS), Vol.2, No.1, pp. 1-14.

¹¹²³ Hamill, J.and Hoffman, J.2009. 'Quiet Diplomacy' or appeasement? South African Policy Towards Zimbabwe, The Round Table, The Commonwealth Journal of International Affairs, Volume 98, Issue 402: New Directions in International Relations and Africa, pp.373-384.

¹¹²⁴ Khadiagala, G. M., and Nganje, F. 2016. The evolution of South Africa's democracy promotion in Africa: from idealism to pragmatism. Cambridge Review of International Affairs, 29(4), 1561-1581.



suited to peaceful resolution of obtaining domestic, continental and regional contradictions and sensitivities,¹¹²⁵ South Africa shifted from singularly driving its diplomacy in Zimbabwe, to a well-weighted multilateral regional diplomacy sensitive to obtaining contradictions in Zimbabwe to gain the confidence of the conflict parties, successfully facilitating a political settlement in 2008-2013. Although the MDC T, and Tsvangirai in particular raised accusations of bias towards Mugabe and ZANU PF, and internal meddling in the affairs of his Party against Mbeki, all the parties remained committed, confident that their cooperation South Africa led mediation would end the conflict.

South Africa proactively defended and insulated the SADC mediation from Western pressure, while keeping as the main, if not sole channel of communication about the Zimbabwe conflict and progress of regional diplomacy in ending the conflict. From 2007-2013, both Mbeki and Zuma and their aides engaged in shuttle diplomacy, engaged with the conflict parties, facilitated and informed regular SADC summits and meetings on the progress and challenges faced with their facilitation of mediation, until they 2013 at the end of the tenure of the Inclusive Government. South Africa played an important role in facilitating dialogue and crafting the architecture of the GPA political settlement. Both Mbeki and Zuma, as mediators propagated and promoted the GPA until 2013 within the SADC consensus.

With all the controversies raised against South Africa's leadership of the SADC mediation, both Mbeki and Zuma successful managed to maintain the support of SADC leaders, carrying it as much needed political capital and leverage to convince the Zimbabwe conflict parties to dialogue, negotiations and political settlement. Furthermore, South Africa managed to persuade the conflict parties to agree to the GPA political settlement, and an inclusive democratic transition path under the Inclusive Government which ushered socio-economic and political stability in Zimbabwe.

7.5 The Theoretical and Empirical Implications of Regional Pan-African Diplomacy in Zimbabwe's Intrastate Democratisation Conflict and Democratic Transition

As argued in this research, the impact of the SADC mediation in Zimbabwe, and its potential theoretical and conceptual implications is often overlooked or understated. The SADC diplomacy succeeded in achieving political stability and setting Zimbabwe on a strong path to

¹¹²⁵ Landsberg, C. 2000. Promoting democracy: the Mandela-Mbeki doctrine. *Journal of Democracy*, 11(3), 107-121.



democracy following the adoption of a new constitution in 2013, and ending the polarized intractable conflict which had eluded a solution for close to a decade.

Proponents of the transition paradigm, liberal humanitarianism and the liberal peace drawing from liberal institutionalism,¹¹²⁶ particularly the literature on regime change which over-emphasize the role of liberal democratic norms and values, change of government, elections, human rights and civil liberties criticize the SADC mediation for failing to facilitate political change in Zimbabwe, allowing ZANU PF and Mugabe to hold onto political power, to eventually shield the popular opposition MDC out of government and the state.¹¹²⁷ They also apply much of the same literature in criticizing the SADC diplomacy for failing to promote and enhance liberal democratic norms and values in Zimbabwe.¹¹²⁸ They erroneously, over-emphasize the liberal genetic explanations in the origin and role of the SADC, including its diplomacy.¹¹²⁹

While elections, as expressed in the transition paradigm are important to democracy, they do not qualify as democracy, in and by themselves. Elections in Zimbabwe, although regularly held in terms of the constitution and national laws, became a source, and fueled the Zimbabwe conflict. However, regionally mediated interparty negotiations, political accommodation and inclusive government fostered political stability, opening Zimbabwe to successful regionally mediated path to democratic transition. Barring internal stability in the Inclusive Government, itself a general feature of power sharing governments, the SADC mediated government in Zimbabwe was the most inclusive and stable since colonial rule.

As suggested by constructivist approaches to understanding the role of the SADC mediation, the historical and prevailing conditions in the subregion were a major stimulus in the formation of the SADC which influenced its formation, the prevailing ideological orientations and intra-regional relations and behaviour of states.¹¹³⁰ While much of the liberal democratic literature suggest that the prevailing values in the SADC region are inimical to the promotion of

¹¹²⁶ Keohane, R. O., and Nye Jr, J. S. (1973). Power and Interdependence. *Survival*, 15(4), 158-165.

¹¹²⁷ Deleglise, D., 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In: T. McNamee and M. Muyangwa (eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham.

¹¹²⁸ Deleglise, D., 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In: T. McNamee and M. Muyangwa (eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham.

¹¹²⁹ Deleglise, D., 2021. Trends in SADC Mediation and Long-Term Conflict Transformation. In: T. McNamee and M. Muyangwa (eds) *The State of Peacebuilding in Africa*. Palgrave Macmillan, Cham.

¹¹³⁰ Hwang, K.D. 2007. Constructing Politico-security Regionalism in Southern Africa: The Case of SADC, *Journal of International and Area Studies*, Volume 14, Number 1, pp.67-84.



democracy,¹¹³¹ it is apparent from the research that the SADC heavily leaned of its shared historical experiences, values and institutions to exert stabilizing and democratization pressure on the MDC formations and ZANU PF to agree to a political settlement based on power-sharing and political accommodation which transformed the Zimbabwean political system, while ending deep partisan, ethnic and racist political rivalry through dialogue as opposed to coercive Western coercive diplomacy anchored on sanctions.

Secondly by persistently recognizing the role of historical contradictions, particularly the land question, and its intertwined socio-economic impact as a major driver of the Zimbabwe conflict, the SADC mediation exposed the challenging historical legacies as a major problem for political stability and democratization in Zimbabwe. Socio-economic factors remain a major threat to democratic installation in Zimbabwe, and other post-colonial states in the SADC region. While the transition paradigm singularly focusses on the promotion of democratic norms and values centred on human rights and civil liberties,¹¹³² the demands and need for socio-economic participation to meet human livelihoods remains a major threat to peaceful democratic transition in Zimbabwe and elsewhere.¹¹³³

The success of the SADC mediation in Zimbabwe, and the challenges posed by socio-economic challenges in the face of disproportionate focus and emphasis on civil liberties calls for further research to shed more insight into the enhanced role of regional organizations in fostering political stability and peaceful democratic transition, as well as addressing historical socio-economic challenges to foster stable democracy in Zimbabwe, as in other African states. In spite of pressure for human rights and civil liberties, socio-economic demands remain a major flashpoint for political instability, and threat to democratization.¹¹³⁴

The transition paradigm has been the most dominant approach in policy proposals and efforts to understand democratic transition in Zimbabwe and Africa. Agreeably, the Zimbabwe conflict manifestly shows aberrations and detract from democratic transition, pervasive historical polarization hence the intrastate democratization conflict. Such conflicts increasingly call for approaches to democratic stability and democratic promotion which are backed and promoted by African endogenous institutions, in line with the focus of the AU, and SADC, amongst its

¹¹³¹ Aeby, M., 2017. Stability and Sovereignty at the Expense of Democracy? The SADC Mediation Mandate for Zimbabwe, 2007–2013. *African Security*, 10(3-4), pp.272-291.

¹¹³² Huntington, S.P., 1993. *The Third Wave: Democratization in the late Twentieth Century*, Oklahoma, University of Oklahoma press.

¹¹³³ Ake, C., 1991. Rethinking African Democracy, *Journal of democracy*, 2.1., pp. 32-44.

¹¹³⁴ Ake, C., 1991. Rethinking African Democracy, *Journal of democracy*, 2.1., pp. 32-44.



regional organizations. In terms of sponsoring the end of the conflict and democratic transition from the conflict, the SADC diplomacy shows that regional institutions can play an important role in facilitating political stability and democratic transition based on a path or trajectory that emphasis peace and political stability, inclusive government and political compromises based on power sharing which recognizes and derives from legitimate elections which uphold the democratic will of the people as the basis for endogenous consociationalism driven by the conflict parties. This calls theoretical and empirical focus on role of regional institutions in facilitating peace, political stability and return to democracy. More importantly, the finding suggests a more eclectic, nuanced understanding of processes and interventions to sponsor both political stability and democratic transition. In this regard, the SADC diplomacy was successful in fostering democracy and stability in Zimbabwe.

The research suggests that the SADC mediation, and regional diplomacy could play an important role in fostering democracy in divided states by providing home-grown African solutions allowing political stability and peaceful democratic transition. Regional organizations like the SADC are therefore capable of playing an important role in solving internal conflict in members states, sponsoring and supporting nuanced and eclectic democratic reforms centered on successful home-grown consociationalism which embraces liberal democratic reforms while tackling historical socio-economic challenges, and insulating conflicts from destabilizing external interventions in paving the way for democratic transition to end violent conflict. Such consociationalism foster political accommodation and cooperation through power sharing which reduces or eliminates the pervasive conflictual effects from domestic political cleavages, leading to the creation of stable democratic political system, for example in Zimbabwe from 2008-2013.



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