
Consistencies And Inconsistencies in SADC Responses to The Zimbabwe Crises, 2000-2013

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Abstract

The study examines the Southern African Development Community (SADC) responses to the Zimbabwe crises as from the year 2000 to 2013. The purpose of the study is to enhance understanding of SADC's poorly understood approach to crisis management in Zimbabwe. Guided by the behaviouralist paradigm of political science specifically Easton's systems theory, the paper delineates and accounts for both observable and subtle patterns of behaviour emerging from SADC's responses to the Zimbabwe crises. A purely qualitative study, the paper utilises primary data from key informant interviews and SADC official communiqués as well as secondary data from journal articles, newspaper articles and published books. The data are analysed for apparent and indirect patterns of behaviour emerging from SADC responses to the Zimbabwe crises. The study findings reveal that SADC was both consistent and inconsistent in its responses to the Zimbabwe crises. Consistency was observed in SADC's noncommittal stance towards the Zimbabwe crises. Inconsistency was noted in SADC's divergent responses to the Zimbabwe crises as compared to similar crises in other Member States. Importantly, the consistencies and inconsistencies in behaviour suggest that SADC was more concerned with avoiding confrontation with Zimbabwe rather than conforming to any expectations in behaviour. The paper recommends future studies to investigate the key reason behind SADC's noncommittal behaviour towards the Zimbabwe crises.

Keywords: SADC, Zimbabwe, consistencies, inconsistencies, crisis management, decision-making

1. INTRODUCTION

The Southern African Development Community (SADC) has been subjected to intense scrutiny and criticism over its handling of Zimbabwe's foreign policy crises (Alden, 2010; Mhango, 2012; Nathan, 2013). Often controversial, unpredictable and confusing, SADC responses to the Zimbabwe crises have been a source of frustration for many researchers and analysts (see Aeby, 2017; Alden, 2010; Chigara, 2018; Dzimir, 2013, 2017; Nathan, 2010a, 2013; Nsibirwa & Mhodi, 2017). This paper attempts to provide a nuanced understanding of SADC's poorly understood approach to crisis management in Zimbabwe. It thus, delineates and accounts for some observable and subtle patterns of behaviour emerging from SADC's responses to the Zimbabwe crises during the period 2000-2013. The year 2000 being the onset of the phenomena that came to be known as the Zimbabwe crises, whilst 2013 is the year that Zimbabwe ceased to be a regular item on the SADC agenda.

A founding Member State of SADC, Zimbabwe went through a series of interconnected political, economic and social challenges as from the year 2000. Commonly known as the Zimbabwe crisis or precisely 'the Zimbabwe crises', these challenges included a 'controversial' land reform programme, democratisation issues and western sanctions amongst other issues (Aeby, 2017; Chigara, 2018; Masunungure & Badza, 2010; Mlambo & Raftopoulos, 2010). In line with Chapter VIII (Art. 52-54) of the United Nations (UN) Charter which recognises the role of regional organisations (ROs) in the maintenance of international peace and security, SADC was compelled to respond to these challenges in Zimbabwe.

SADC's responses to these challenges have been the subject widespread and inconclusive debate over the years. This is because SADC responses to the various issues in the Zimbabwe crises hardly conformed to expectations (Aeby, 2017; Alden, 2010; Chigara, 2018; Dzimir, 2013, 2017; Nathan, 2010a, 2013; Nsibirwa & Mhodi, 2017). When expected to condemn Zimbabwe's 'controversial' Fast Track Land Reform (FTLRP) and the Zimbabwe government's alleged undemocratic behaviour, SADC stood in solidarity with the Zimbabwe (Cawthra, 2010; Dzimir, 2013, 2017). Conversely, SADC condemned the Zimbabwe government and refused to recognise the

country's 2008 Presidential election run-off results citing undemocratic practices by the government (SADC, 2008). Again, SADC's firm and decisive stance towards the 2008 presidential election run-off results was quite unexpected and surprised many. Interestingly, most of SADC's responses to the Zimbabwe crises were divergent from the RO's responses to almost similar crises in the other Member States such as Madagascar and Lesotho.

SADC's rather capricious responses to the Zimbabwe crises have displeased many including analysts and researchers. A number of scholars (Aeby, 2017; Alden, 2010; Cawthra, 2010; Dzimir, 2013, 2017, Nathan, 2010a, 2010b, 2012, 2013; Nsibirwa & Mhodi, 2017) have bemoaned the vexing and perplexing nature of SADC responses to the Zimbabwe crises. They argue that SADC's approach to the Zimbabwe crises has been difficult to understand and comprehend as the RO's responses have been unpredictable and desultory. This paper contends that SADC's approach to the Zimbabwe crises has not been well understood because most scholars have paid little attention to the clues emerging from both observable and subtle patterns of SADC behaviour.

Therefore, this study attempts to provide a nuanced understanding of SADC's overall approach to crisis management in Zimbabwe. It does this by delineating and accounting for both consistencies and inconsistencies in SADC behaviour when responding to various issues in the Zimbabwe crises. This is information that is of importance to the various researchers and analysts who have often struggled to predict and/or understand SADC's approach towards the Zimbabwe crises. As highlighted by Nsibirwa & Mhodi (2017), few have been able to successfully predict SADC's approach to crisis management especially when Zimbabwe is involved. Hence, the study is of predictive value as it offers empirically backed clues on the likely SADC approach to crisis management particularly issues involving Zimbabwe.

In accounting for these patterns of consistent and inconsistent behaviour in SADC's responses to the Zimbabwe crises, the paper discusses the theoretical framework and methodology used. This is then followed by a brief overview of SADC's structure for crisis management decision-making. The next section focuses on SADC responses to specific key issues/events in the Zimbabwe crises. The notable and subtle patterns of consistency and inconsistency emerging from SADC's responses to the key issues in the Zimbabwe crises are then discussed next. The final section of the paper provides the conclusion and recommendations for future studies.

2. THEORETICAL FRAMEWORK

The paper is guided by the behaviouralist paradigm of political science. Behaviouralism stresses the importance of discovering observable uniformities or patterns in political behaviour (Burnham, Lutz, Grant, Layton-Henry, 2008, p. 19). Behaviouralism thus resonates with the key objective of this paper which is to account for patterns of behaviour emerging from SADC's responses to the Zimbabwe crises over the years. Within the behaviouralist approach, this paper leans more towards the systems theory as propounded by David Easton. For Easton (1965), political decision-making involves a system of inputs and outputs between citizens and government. The citizens forward their demands (inputs) to the 'black box' where these inputs are then converted into outputs (actions and decisions). Decision-making takes place in the black box which is the government. The black-box is labelled such because few have an idea of exactly what takes place in there.

Notwithstanding the absence of a government in the international system, international organisations (IOs) can be regarded as a black box that converts the demands of various state and non-state entities into outputs. These outputs come in the form of international decisions and agreements (Reinalda, 2001, p. 11). SADC can thus be regarded as a black box of some sort where demands coming from stakeholders who may be the Member States, political parties, civil society and individuals are converted into outputs. This study is therefore, concerned with understanding the patterns of behaviour emerging from SADC decisions (outputs) to domestic, regional and international pressure (demands) for the RO to respond to the Zimbabwe crises. This is an issue that has frustrated and confused some researchers and analysts.

Due to its emphasis on studying observable outcomes or decisions and not the decision-making processes which are often concealed, Easton's systems theory provides perhaps the best theoretical lens for studying decisions or outcomes in ROs whose decision-making processes are highly secretive. These are ROs such as SADC where decisions only are publicised and not the deliberations or the voting dynamics that led to these decisions. SADC decision-making is thus a black box in the exact sense meant by Easton (1965). Commenting on SADC decision-making processes Nathan (2012, p. 13) postulates that SADC decision-makers are "fixated on maintaining secrecy" when it comes to decision-making to the extent that even government officials struggle to discern decisions taken at closed door meetings. With such constraints, focusing on the observable outcome or decision as prescribed by Easton (1965) offers perhaps a more promising approach to understanding SADC's rather opaque crisis management decisions.

3. METHODOLOGY

In accounting for the consistencies and inconsistencies in SADC responses to the Zimbabwe crises, the study relied on qualitative methods of data collection and analysis. Both primary and secondary sources of data were used in the study. Primary data were collected through field work conducted in Zimbabwe, Botswana and South Africa as from August to November 2019. This field work included semi-structured interviews with key informants that were directly involved in decision-making on the issues concerning Zimbabwe at both the Zimbabwe government level and the SADC level (refer to appendix for a list of interviews). As highlighted by one academic, the biggest gap in international studies in Southern Africa is that researchers do not talk to the policy-makers enough (C. Williams, personal communication, November 20, 2019). Therefore, the fact that this current study makes use of first hand perspectives of some key decision-makers in Zimbabwe and SADC adds a dimension that is often missing in previous studies on SADC and Zimbabwe.

The views of several academics from Zimbabwe, the SADC region and beyond who are regarded as experts on Zimbabwe and SADC were also solicited through face to face semi-structured interviews and telephone interviews (refer to appendix for a list of interviews). The paper also relied on official SADC documents as a primary source of data. These included communiqués from SADC summits and meetings where the Zimbabwe crises were discussed. The documents were obtained through an online search of the official SADC repository and a physical search of the SADC Secretariat Library in Gaborone conducted between 11 and 14 November 2019. These documents were purposively selected using the period of study 2000 to 2013 and the issue of focus Zimbabwe as the criteria for selection. Burnham et al. (2008, p. 189) posit that primary documents offer so much to students of politics and international relations as they are less prone to the inaccuracy and bias often found in secondary literature. In addition to the primary documents, the study also made use of secondary sources of data in the form of journal articles, published books and newspaper articles from both print and electronic sources that focused specifically on SADC's responses to the Zimbabwe crises during the period under study.

For the analysis of both primary and secondary data, the study applied qualitative content analysis. Qualitative content analysis takes place when someone reads or listens to a body of communication and then summarises and interprets the content therein (Burnham et al., 2008, p. 259). Like most qualitative methods, the researcher is the key instrument of analysis in qualitative content analysis. The researcher decides the topic to study, the documents and literature to be studied, the text to be analysed as well as the meaning to be derived from the text (Burnham et al., 2008, p. 259). Qualitative content analysis is thus a subjective method of analysing data that is heavily reliant on the judgement and expertise of the researcher. This is an effective method in studies such as this paper where quantification is not the primary focus of the study.

4. SADC FRAMEWORK FOR CRISIS MANAGEMENT DECISION-MAKING AND IMPLEMENTATION

One of Africa's most prominent ROs (Tavares, 2009), SADC is a regional political and economic bloc that is equally a regional security structure drawing membership from 16 mainly Southern African states (SADC, History and Treaty, n.d.). The RO was established in 1980 as the Southern African Development Co-ordination Conference (SADCC) but was transformed to SADC in 1992 through the SADC Treaty. SADC's key objectives are to achieve economic development, peace, security and growth...through regional integration (SADC, 2014). As of 2020, SADC Member States were Angola, Botswana, DRC, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

SADC has 8 principal institutions and organs namely: the Summit of Heads of State and Government (Summit), the Organ on Politics, Defence and Security Co-operation (Organ), the Council of Ministers (Council), the Sectoral and Cluster Ministerial Committees, the Secretariat, the Tribunal and the SADC National Committees all in order of priority as depicted in Fig. 1 below (SADC, 2014).

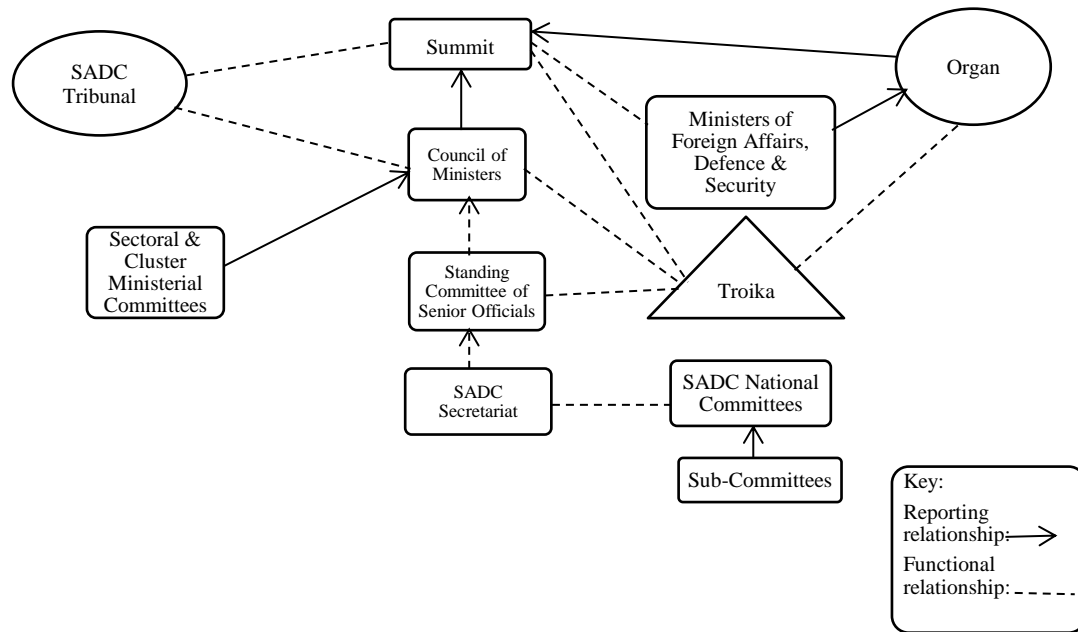


Fig. 1. SADC Institutional Structure

Source: Report on the Review of the Operations of SADC Institutions, (2001, p. 41)

The Summit is made up of the heads of state or government of all Member States (SADC, 2014). It is the supreme policy and decision-making institution of SADC and is comprised of the heads of state and government of the 16 Member States. The Summit is led by a chairperson elected from amongst the heads of state and government on a one year rotational basis. Summit decisions are made by consensus and are binding (SADC, 2014).

Key SADC institutions such as Summit, Organ, Council, Sectoral and Cluster Ministerial Committees and Standing Committee of Officials operate through a troika system. The Troika is responsible for decision-making, facilitation and implementation of decisions; and providing policy directions in between the meetings of the institution (SADC, 2014). The Troika is usually comprised of the current chairperson of the institution, the incoming chairperson who is usually the deputy chairperson and the outgoing chairperson. The objective of the troika system is to quicken decision-making on urgent matters by vesting decision-making authority on the chairperson, the deputy and the outgoing. This ensures that decisions do not have to wait for the convening of Summit. When the Troika of the Summit meets combined with the Troika of the Organ, this becomes known as the Double Troika.

Decision-making on all matters pertaining to both inter-state and intra-state crises is the prerogative of the Organ. Established through Article 9 of the SADC Treaty and the Protocol on Politics, Defence and Security Co-operation of 2001, the Organ is charged with the responsibility to prevent, manage and/or resolve any significant inter-state or intra-state conflict within the region including political crises, armed conflicts amongst other similar crisis situations.

The Organ employs various peaceful means of conflict/crisis prevention, management and/or resolution that include “preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal” (SADC Protocol on Politics, Defence and Security Co-operation, 2001, Article 11 para 3a). Where peaceful means have failed to yield the desirable results, Article 11 paragraph 3c) of the Protocol on Politics, Defence and Security Co-Operation provides for enforcement action subject to UN Security Council authorisation.

Few would dispute the fact that on paper, SADC’s legal and institutional framework for crisis decision-making appears to be well-thought out and thorough. It seems to have provisions to cater for any eventualities in as far as intra and inter-state crises and conflicts in the region are concerned. Unlike its compact legal and institutional framework for crisis decision-making, SADC’s has been vacillating when it comes to actual crisis decision-making.

5. SADC RESPONSES TO ISSUES IN THE ZIMBABWE CRISIS

In line with the behaviouralist approach, the patterns of behaviour emerging from SADC's responses to the Zimbabwe crises are best observed through the analysis of three highly contested issues/events in the Zimbabwe crises. These issues/events are the Fast Track Land Reform Programme (FTLRP), democratisation in Zimbabwe and the SADC Tribunal conundrum over the Zimbabwe land reform judgements. SADC responses to each of these highly topical issues/events in the Zimbabwe crises are discussed in detail below.

5.1 SADC and Zimbabwe's land reform programme

One issue that is largely cited as the catalyst to the Zimbabwe crises during the Robert Mugabe era is the land issue, particularly the FTLRP launched in the year 2000 (Masunungure & Badza, 2010; Clemens & Moss, 2005). The FTLRP involved the compulsory acquisition of land owned by white farmers for re-allocation to landless blacks. Criticised by some as unjust and a violation of private property rights, the FTLRP quickly became a topical issue globally (Masunungure & Badza, 2010; Clemens & Moss, 2005; Mlambo & Raftopoulos, 2010).

As the RO closest to the events in Zimbabwe, SADC was under domestic and international pressure to respond in one way or another to Zimbabwe's land issue (Aeby, 2017; Alden, 2010; Dzimiri, 2017, 2013). SADC thus convened several Extraordinary Summits to discuss the circumstances surrounding Zimbabwe's FTLRP where allegations of state sponsored violence and human rights abuses had emerged (SADC Head of State and Government Summit Communiques, 2000-2015). Much to the displeasure of the white farmers, opposition political parties in Zimbabwe as well as western governments and IOs, the outcome of all these Summits was SADC solidarity with the Zimbabwe government on the land issue and the FTLRP in particular (SADC, SADC Head of State and Government Summit Communiques, 2000-2015).

In a typical example of SADC solidarity with Zimbabwe over the land issue, then SADC Chairperson and Tanzanian president Benjamin Mkapa criticised the west's position on Zimbabwe's land issue while at the same time justifying the Zimbabwe's FTLRP. In his opening remarks at the 2003 SADC Summit in Dar Es Salaam, President Benjamin Mkapa labelled the west's criticism of Zimbabwe's FTLRP as colonial mentality that was unequivocally flawed since it was based on the misconception that whites were more capable farmers than blacks (SADC, Addresses delivered by heads of state and governments during SADC Summit meetings 2000-2006). SADC argued that while the implementation of the FTLRP might have been chaotic, it was a justified programme meant to redress years of racial injustices inherited from the colonial system's racially discriminatory policies.

5.2 SADC and democratisation in Zimbabwe

Just like the land reform issue, democratisation in Zimbabwe also became an issue of concern for SADC and the international community as from the year 2000 onwards. Citing what they termed Zimbabwe's deteriorating democracy record; USA enacted the Zimbabwe Democracy and Economic Recovery Act (ZIDERA). ZIDERA was an act of US congress that imposed blanket sanctions on Zimbabwe and targeted sanctions on some of the country's leaders such as then Zimbabwe president Robert Mugabe. Mugabe and other Zimbabwe government officials were accused of sanctioning state repression of the media and opposition political parties as well as human rights abuses and disrespecting the rule of law. In common with the US, the European Union (EU) and the Commonwealth also imposed blanket and targeted sanctions against Zimbabwe which they termed restrictive measures (Grebe, 2010).

Closer to Zimbabwe, pressure mounted on SADC to also condemn Zimbabwe's allegedly poor democratic record (Alden, 2010; Pallotti, 2013). SADC thus responded by convening several Extra-ordinary Summits and Organ Troika meetings where Zimbabwe's democratisation issues were on the agenda (SADC, SADC Head of State and Government Summit Communiques, 2000-2015; SADC, Addresses delivered by heads of state and governments during SADC Summit meetings 2000-2006). However, as with the land issue, SADC's response to the allegations of undemocratic practices by the Zimbabwe government was more of indifference to these issues and/or solidarity with the Zimbabwe government (Summit of the SADC Task Force of Developments in Zimbabwe Communiqué, 2001; SADC Head of State and Government Summit Communiques, 2000-2015).

Despite allegations of fraud, SADC endorsed Zimbabwe's 2000 parliamentary elections, the 2002 presidential elections, the 2005 parliamentary elections and the 2008 March harmonised elections (Aeby, 2017; Alden, 2010; Pallotti, 2013; Southall, 2013). Rather than condemn or sanction Zimbabwe as the west had hoped, SADC actually demanded the lifting of western sanctions against Zimbabwe. With this response, international and domestic pressure for SADC to take decisive action on Zimbabwe continued to mount. SADC responded to this pressure by appointing then South African president Thabo Mbeki as a facilitator of dialogue between the government and

opposition political parties at the 2007 Extra-ordinary Summit on the Zimbabwe situation (SADC, Communiqué 2007 Extra-ordinary Summit of Heads of State and Government, Dar-es-Salaam, 2007).

SADC was again called to action in Zimbabwe's 2008 presidential elections run-off which was held on 27 June 2008. This run-off was held after there was no outright winner between the two top candidates incumbent Robert Mugabe of ZANU PF and Morgan Tsvangirai of the opposition MDC-T in the March 2008 Harmonised Elections. Prior to the 27 June 2008 Presidential run-off election, an Organ Troika Summit convened to discuss the developments in Zimbabwe had recommended that the 27 June 2008 run-off elections be postponed to a later date due to what they called "the violence and charged political atmosphere" in Zimbabwe (SADC, Communiqué The SADC Organ Troika of Heads of State and Government, 2008). The Zimbabwe government ignored these SADC recommendations and chose to go ahead with the elections. However, just days before the election, the opposition candidate Morgan Tsvangirai of the MDC-T withdrew from the 27 June 2008 run-off election citing widespread violence and intimidation. These elections which were eventually won by the incumbent Robert Mugabe were widely condemned even by SADC.

In response, the August 2008 extra-ordinary Organ summit on developments in Zimbabwe refused to recognise the 27 June 2008 presidential run-off elections results. The extra-ordinary summit of the Organ encouraged the parties in Zimbabwe to negotiate and form an inclusive government (SADC, Communiqué of the Extra-Ordinary Summit of the Organ, 2008). The SADC appointed facilitator Thabo Mbeki initiated dialogue between ZANU PF and the opposition splinter formations of MDC namely MDC-T (Tsvangirai) and MDC-M (Mutambara) (Aeby, 2017). The dialogue led to a Global Political Agreement (GPA) where the political parties agreed to power-sharing in an inclusive government also referred to as a government of national unity (GNU) as from 2009 to 2013. Zimbabwe's democracy issue remained a regular item on the SADC agenda even during the GNU era. Even though the Zimbabwe crises were by no means solved, the country ceased to be a regular issue on the SADC agenda crisis management agenda in the year 2013 (SADC, SADC Head of State and Government Summit Communiqués, 2000-2015).

5.3 The SADC Tribunal conundrum

Closely related to both the FTLRP and democratisation in Zimbabwe is the issue of the SADC Tribunal's disbandment. A regional human rights court that was a SADC institution established through the Protocol on Tribunal and the Rules of Procedure 2000, the Tribunal was disbanded by Summit during the 2011 sitting at the behest of Zimbabwe (Hulse & Van der Vleuten, 2015; Nathan, 2011, 2013). This was after the Tribunal had passed judgement against the Zimbabwe government and in favour of Zimbabwean white commercial farmers whose land had been repossessed under the FTLRP (Hulse, 2012). Arguably one of the most controversial SADC responses to issues concerning the Zimbabwe crises, SADC's decision on the Tribunal was criticised and condemned in various quarters.

The FTLRP was a Zimbabwe government programme instituted in the year 2000 so as to redress the land ownership imbalances created by the colonial system's racially discriminatory policies. Feeling aggrieved by the FTLRP, the white farmers whose land had been repossessed by the Zimbabwe government approached the Zimbabwean courts seeking a reversal of the programme. Having found little joy in their efforts to force the Zimbabwe government to reverse the FTLRP through the use of local courts, the white commercial farmers approached the SADC Tribunal. The commercial farmers challenged the legality of the FTLRP which they claimed to be racially discriminatory and a contravention of private property rights (Ndlovu, 2011). The Tribunal passed judgement in favour of the white commercial farmers. In its judgement, the Tribunal ordered the Zimbabwe government to reverse the FTLRP and pay appropriate compensation for those farmers already evicted (Ndlovu, 2011).

From the outset, Zimbabwe had challenged the legality of the Tribunal arguing that the court was not legally constituted and had no jurisdiction to hear the white farmers' cases (Nathan, 2011). Notwithstanding these reservations over the Tribunal's jurisdiction, Zimbabwe went ahead with the Tribunal processes while lobbying SADC to amend the Tribunal (P. Chinamasa, personal communication, October 30, 2019). After the Tribunal's judgement on the FTLRP appeared to favour the white farmers, Zimbabwe intensified efforts to have the court's jurisdiction amended (S. Mumbengegwi, personal communication, October 18, 2019).

According to then Zimbabwe Justice Minister Patrick Chinamasa, Zimbabwe's argument was that the Tribunal was not a legally constituted institution of SADC as it was established on the basis of a protocol that had not been ratified by two thirds of the Member States as required by Article 22 paragraph 4 of the Treaty. Rather than have the Protocol on the Tribunal go through the whole process that a SADC protocol goes through as prescribed in the SADC Treaty, the Protocol on the Tribunal was now deemed to be part of the Treaty. The Secretariat had in

the words of a former Zimbabwe government official, been influenced by outside forces to smuggle the Protocol of the Tribunal into the SADC Treaty without following proper procedure.

Furthermore, Zimbabwe posited that in passing judgement on the FTLRP cases, the court had ignored some important contextual historical, political, economic and social realities about Zimbabwe and southern Africa in general. As such, the judgement was not in the public interest of Zimbabwe and the region and if enforced it would cause all sorts of racial problems. Moreover, the Zimbabwean courts had also ruled that the SADC Tribunal was not in any way superior to the Zimbabwean courts that had already passed judgements on the land reform (H. Patel, personal communication, September 30, 2019). Therefore, Zimbabwe was not legally obliged to follow the SADC Tribunal's judgements (P. Chinamasa, personal communication, October 30, 2019).

When the matter was brought before the SADC Council of Ministers for deliberation, Comrade Simbarashe Mumbengegwi who was Zimbabwe's Minister of Foreign Affairs and a member of the SADC Council noted that Council concurred with the Zimbabwe government position (personal communication, October 18, 2019). Council then made recommendations to Summit for the disbandment of the Tribunal and suspension of all its judgements on Zimbabwe (S. Mumbengegwi, personal communication, October 18, 2019). Summit subsequently adopted the decision to disband the Tribunal and suspend all its judgements on Zimbabwe's FTLRP at the 2011 Maputo Summit meeting. Interestingly, Summit's decision to disband the Tribunal was quite popular amongst the SADC principals. In the words of former Tanzanian president Jakaya Kikwete, the Tribunal was a monster that was going to devour everyone and so it had to go (The Economist, 2012).

5.4 Consistency in SADC responses to issues in the Zimbabwe crises

Behaviouralists argue that, "There are discoverable regularities in politics which can lead to theories with predictive value" (Burnham et al, 2008, p. 20). Therefore, it is possible to extrapolate SADC's overall approach to crisis management in Zimbabwe by delineating and accounting for some patterns of consistent and inconsistent behaviour emerging from the RO's responses to the Zimbabwe crises during the period under study. This section thus accounts delineates some apparent and subtle consistencies in behaviour emerging from SADC's responses to the Zimbabwe crises as from the year 2000 to 2013. Accounting for this consistent behaviour in SADC responses is critical as it assists in predicting likely SADC responses to issues concerning Zimbabwe and outlining the RO's overall approach to crisis management.

The most apparent and observable characteristic of SADC's responses to the Zimbabwe crises was the RO's consistently noncommittal stance towards the Zimbabwe crises. From the FTLRP, democratisation right through to the Tribunal conundrum, SADC never wavered from its noncommittal stance towards the Zimbabwe crises as reflected by SADC's solidarity with the Zimbabwe government on the issue of land. This consistently noncommittal stance was also observable in SADC's reluctance to be actively involved in governance issues in Zimbabwe. Despite pressure from western governments to condemn Zimbabwe's FTLRP as violent and illegal, SADC remained resolute in support of both the Zimbabwe government and the FTLRP.

Similarly, when pressured to censure or sanction Zimbabwe for alleged transgressions of democratic principles and human rights abuses, SADC's stance was no different from its stance towards the FTLRP. While occasionally including the matter at the meetings held by some of the RO's key institutions, SADC never took any decision to sanction Zimbabwe nor did it ever publicly condemn the Member State's democracy and human rights record. When responding to the various so called Zimbabwe crises, SADC consistently maintained its silent diplomacy approach.

Moreover, by not budging to western pressure to condemn or sanction Zimbabwe for unproven allegations of undemocratic practices and human rights abuses, SADC was consistent with the behaviour expected of an agent. As an agent of Zimbabwe and other principals, SADC was expected to protect and defend the interests of the Member States. In such institutional arrangements, it is not in the best interest of the agent to go against the interests of key principals such as Zimbabwe. Agents that fail to protect the interests of their key principals often pay the ultimate prize of mortality. This was the case with the SADC Tribunal that threatened the interests of Zimbabwe and other key principals in the RO with its ruling on land reform and was ultimately disbanded.

SADC's stance of quiet diplomacy towards the Zimbabwe crises as from the year 2000 to 2013 was also consistent with the approaches adopted by similar ROs that have been forced to respond to issues concerning member states designated by the west as pariahs. ROs in the developing world that have been pressured by the west to respond to foreign policy crises in their member states have either defended their member states or have been noncommittal in their approach. This seems to be the approach that the Association of South East Asian Nations (ASEAN) adopted in response to political crises in Myanmar over the years. ASEAN has resisted western pressure to

intervene in the Myanmar crisis by citing the ‘ASEAN way’ which is regional norm preventing the RO’s interference into the domestic issues of a member state (Alden, 2010; Davies, 2018). These ROs refuse to be dictated to by western powers (Acharya, 2014). If the ASEAN’s response to the Myanmar crises is anything to go by, then SADC’s noncommittal responses to the Zimbabwe crises can be argued to be consistent with the approach of other ROs that have been in a similar position as SADC.

On another note, there is little if any evidence that SADC flouted any international legal principles or norms or its own principles or norms when responding to the Zimbabwe crises during the period under study. To a large extent SADC was quite consistent with its own principles when responding to the Zimbabwe crises. Despite the intense criticism, there little evidence to support the dominant notion that SADC violated any of its principles when responding to the Zimbabwe crises as from the year 2000 to 2013. Where there was evidence of undemocratic practices by the Zimbabwe government such as the 2008 presidential run-off election, SADC did not hesitate to censure Zimbabwe. In line with Article 4 sub-paragraph (c) of the Treaty which emphasizes the importance of human rights, democracy and the rule of law, SADC refused to recognise the results of the 2008 presidential run-off elections.

Still on the same note, in keeping with Article 4 sub-paragraph (e) of the Treaty which calls for the pacific settlement of disputes, SADC made efforts to bring the conflicting parties in Zimbabwe to the negotiating table. Even after the stalemate created by the disputed 2008 presidential run-off elections, it was SADC through their facilitator Thabo Mbeki that spearheaded dialogue. The SADC facilitated dialogue between ZANU PF and the two MDC formations brought an amicable end to the stalemate created by the disputed elections. SADC was thus consistent in it’s of a peaceful solution to the Zimbabwe crises over the years. SADC responses to the Zimbabwe crisis were indeed quite consistent with the RO’s guiding principles and protocols as demonstrated by the above examples.

Given the consistency with which SADC maintained solidarity with Zimbabwe or was indifferent to the Zimbabwe crisis, SADC’s overall approach to the Zimbabwe crisis could be easily explained as being noncommittal. However, some apparent inconsistencies in SADC behaviour towards the Zimbabwe crisis and crises in general limit the predictive and inferential value of such an explanation. As highlighted above, there were several notable inconsistencies in SADC behaviour when responding to the Zimbabwe crises. While SADC consistently noncommittal behaviour may be sufficient to explain the RO’s approach to Zimbabwe, the several glaring inconsistencies in the raise several reliability and validity doubts.

5.5 Notable inconsistencies in SADC responses to the Zimbabwe crises

There were several notable inconsistencies in SADC’s responses to the Zimbabwe crises as from the year 2000 to 2013. Evidence of inconsistent SADC behaviour was observed in the disparate manner in which SADC approached the Zimbabwe crises as compared to similar crises in other Member States. SADC’s responses to the Zimbabwe crises appeared to be inconsistent with the RO’s responses to crises in other Member States such as Lesotho 1998 and Madagascar in 2009. This was regardless of the fact that the provisions of Article 4, sub-paragraph (a) of the SADC Treaty emphasises the sovereign equality of all Member States. Unlike in the Zimbabwe crises where SADC was noncommittal in its responses, the RO was intimately involved in both the Lesotho and the Madagascar crisis to the point of military intervention in Lesotho and sanctions in Madagascar.

Rather than openly criticise the leadership in Zimbabwe for their role in the crises as was done in the case of Madagascar, SADC expressed solidarity with the Zimbabwe government when responding to most issues in the Zimbabwe crises. SADC’s noncommittal approach to the Zimbabwe crises as compared to the swift and decisive action taken in Madagascar where the RO was quick to suspend Madagascar and impose sanctions was highlighted by Cawthra (2010). Cawthra (2010, p. 7) notes that “SADC was much more reluctant to intervene in Zimbabwe than Madagascar, agreeing publicly with Mugabe that the crisis was a result of the need for land redistribution and caused by Western sanctions.” In their commentary, Nsibirwa & Mhodi (2017) also highlight this apparent inconsistency in SADC behaviour towards Zimbabwe as compared to other Member States that have been in crisis situations similar to Zimbabwe. Thus, they cynically ask whether SADC’s ‘preferential treatment’ of Zimbabwe is based on the fact that Zimbabwe is a ‘powerhouse’ in the region. It is critical to note that whilst SADC policy towards Zimbabwe was consistent, the same policy was also inconsistent when juxtaposed with the RO’s responses to similar or almost similar crises in other Member States.

Inconsistency in SADC’s responses to the Zimbabwe crises was also noted in the discordant manner in which different SADC institutions responded to similar issues concerning Zimbabwe. Zimbabwe’s land issue is one area where inconsistency between some key SADC institutions was quite conspicuous. In a rare moment of SADC discord on the Zimbabwe crises, the Summit’s stance towards Zimbabwe’s land issue was divergent from the

Tribunal's judgements on Zimbabwe's FTLRP. Whilst the Summit supported Zimbabwe's FTLRP, the Tribunal ruled that Zimbabwe's FTLRP was illegal and was a violation of human rights. Thus, the Tribunal's judgement was in direct conflict with Summit's position on Zimbabwe and the FTLRP. This contrast in opinion between the two SADC institutions was however quickly addressed as the Summit decided to disband the Tribunal over this apparent 'anomaly'.

Though there was consensus at the SADC level in as far as the RO's responses to the Zimbabwe crises were concerned, the same could not be said for the Member States. Whilst most of the SADC Member States such as South Africa and Namibia individually adopted postures similar to SADC's stance of silent diplomacy when responding to the Zimbabwe crises, there were one or two Member States that occasionally broke rank. The most notable of these were Zambia under the leadership of Levy Mwanawasa and Botswana under Ian Khama's presidency. Unlike their counterparts who did not openly criticise Robert Mugabe's government on any of the contested issues in the Zimbabwe crises, Levy Mwanawasa and Ian Khama were overtly critical of Robert Mugabe and his ZANU PF government. The two SADC leaders (Mwanawasa and Khama) also criticised SADC for not holding Zimbabwe accountable for the alleged human rights and democratic norm transgressions. This discord amongst the Member States in as far as SADC's response towards Zimbabwe is concerned was another very prominent instance of inconsistency in SADC's Zimbabwe crises responses during the period under study.

6. CONCLUSION

Evidently, there are plenty of consistencies and inconsistencies that emerge from SADC's responses to the Zimbabwe crises as from the year 2000 to 2013. These consistencies and inconsistencies in SADC behaviour go a long way in supporting the assertion that overall, SADC was noncommittal in its approach towards the Zimbabwe crises. However, in as far as SADC's general approach to crisis management was concerned; the consistencies and inconsistencies in behaviour highlight the extent to which SADC's approach to the Zimbabwe crises was divergent from expectations.

Far from just highlighting some commonalities and irregularities in behaviour, this account of the consistencies and inconsistencies in SADC's responses also reveals some subtle detail about SADC's overall approach to the Zimbabwe crises and crisis management in general. This is detail that has been missed or deliberately disregarded in previous studies resulting in misinformation and misrepresentation of SADC's approach to the Zimbabwe crises and to crisis management in general. Perhaps ignoring the patterns of consistent and inconsistent behaviour, previous studies had misrepresented SADC's noncommittal stance towards the Zimbabwe crises as being generalizable to the RO's overall approach to crisis management.

Yet as the consistent and inconsistent SADC behaviour revealed, SADC's responses to the Zimbabwe crises were anything but generalizable. If anything, the consistencies and inconsistencies in SADC's responses to the Zimbabwe crises suggest that this is a deviant case in SADC crisis management. One that is not representative of SADC's general approach to crisis management. This is because SADC behaviour when responding to the Zimbabwe crises hardly conformed to the RO's known behaviour when managing crises that do not include Zimbabwe. Therefore, while the consistencies and inconsistencies go a long way in validating the assertion that SADC was noncommittal in its overall approach to the Zimbabwe crises, they do little in terms of explaining SADC's overall approach to crisis management. What this entails is that SADC's approach to the Zimbabwe crises ought to be looked at independently as it does not fit the description of the RO's general approach to crisis management.

Moreover, the consistencies and inconsistencies in SADC behaviour when responding to the Zimbabwe crises seem to suggest that SADC was more concerned with avoiding confrontation with Zimbabwe rather than conforming to any expectations in behaviour. There appears to be a special relationship between SADC and Zimbabwe, one that the RO is not prepared to jeopardise. It is this special relationship that seems to shape both the consistency and inconsistency observed in SADC behaviour when responding to the Zimbabwe crises. This special relationship between SADC and Zimbabwe perhaps explains why SADC was consistently noncommittal in its approach towards the Zimbabwe crises over the years. Furthermore, this special relationship could also account for SADC's inconsistent behaviour when responding to the Zimbabwe crises as compared to crises in other Member States.

At face value SADC's approach to crisis management appears straightforward and compact. This is because the RO has what can be considered as a sound and systematic legal and institutional framework for crisis management. However, close scrutiny of some of the RO's responses to crises in the region reveals that SADC's approach to crisis management can be confusing as many scholars and analysts have professed. Characterised by some subtle consistencies and inconsistencies, SADC's responses to the Zimbabwe crises during the period 2000 to 2013 is

one case that has been quite an enigma for many. This case had until now offered little in terms of a more nuanced understanding of SADC's overall approach to Zimbabwe crises and the RO's overall approach to crisis management.

Hailed by some as pragmatic and equally criticised as ineffective, future studies could perhaps focus on understanding the key dynamics that shape SADC's noncommittal approach to the Zimbabwe crises. This is an issue that has also been inadequately addressed in existing studies on SADC's role in the Zimbabwe crises.

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