

THE ROLE OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY IN  
CREATING SECURITY IN SOUTHERN AFRICA: A CASE STUDY OF  
ZIMBABWE SINCE INDEPENDENCE TO 2002

BY

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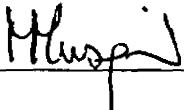
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## DECLARATION

This dissertation is my original work and has not been presented for a degree in any other university.

Sipho Richard Buthelezi (sign)  Date: 23 November 2024

This dissertation has been submitted for examination with my approval as a University Supervisor

Makumi Mwagiru, Ph.D. Signature:  Date: 28 NOV 2024

## ABSTRACT

Tension started in Zimbabwe when the government proved to the people that it was not going to acquire and distribute adequate land for settlement of the poor people. Misuse of government finances combined with the structural adjustment programme of the IMF contributed to the poor state of the economy in the country. The inflation, unemployment, poor salaries for civil servants and high salary increments to senior ZANU-PF officials caused a militant strike by the civil servants. President Mugabe called for a review of the constitution, which resulted a new and controversial one. A referendum was called for to approve or disapprove the new constitution. The MDC was formed to oppose the new constitution referendum. It was successful and President Mugabe felt threatened. Violence was used against the MDC supporters elections that followed the referendum. Death and other forms of intimidation did not work because the MDC supporters still voted and their party remained a credible challenger to the ZANU-PF. Vote rigging and other voting irregularities were used by the ZANU-PF to ensure that it won the elections at all costs, which it did in its terms. SADC did nothing sufficient to solve the situation in Zimbabwe, while it is the only closest organisation empowered and able to resolve conflicts in Southern Africa.

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Lastly, my youngest daughter, Noluthando, who always wondered why Papa kept quiet and looked at a book when she wanted us to play.

## LIST OF ABBREVIATIONS

AIPPA	Access to Information and Protection of Privacy Act
ASF	African Standby Force
AU	African Unity
ACCORD	African Centre for the Constructive Resolution of Disputes
BSA	Broadcasting Services Act
CFU	Commercial Farmers Union
CMAG	Commonwealth Ministerial Action Group
CZA	Citizenship of Zimbabwe Act
DRC	Democratic Republic of Congo
ESAP	Economic Structural Adjustment Programme
ECOWAS	Economic Community of West African States
EWS	Early Warning System
ESC	Electoral Supervisory Commission
GLAA	General Laws Amendment Act
ICM	Integrated Committee of Ministers
IGAD	Inter-Governmental Authority for Development
IMF	International Monetary Fund
ISCDC	Inter-state Defence and Security Committee
ISPDC	Inter-State Politics and Diplomacy Committee
ISDSC	Inter-State Defence and Security Committee
MDC	Movement for Democratic Change
MMPZ	Media Monitoring Project of Zimbabwe
MSC	Military Staff Committee
NCA	National Constitutional Assembly

NGOs	Non-government Organisations
OAU	Organisation of African Unity
POSA	Public Order and Security Act
PPFA	Political Parties Finance Act
SADC	Southern African Development Community
RDCs	Representatives of the rural district councils
SARPPCCO	Southern African Police Chiefs Co-ordinating Committee
SCO	Standing Committee of Officials
SOP	Standard Operating Procedures
The Organ	The Organ on Politics, Defence and Security Co-operation
UNDP	United Nations Development Programme
UN	United Nations
WVA	War Veterans Association
ZANLA	Zimbabwe African National Liberation Army
ZANU-PF	Zimbabwe African National Union Patriotic Front
ZAPU	Zimbabwe African Peoples' Union
ZCTU	Zimbabwe Congress of Trade Unions
ZDF	Zimbabwe Defence Force
ZESN	Zimbabwe Election Support Network
ZIPRA	Zimbabwe People's Revolutionary Army

## CHAPTER 1

### RESEARCH PROPOSAL

#### Introduction

Southern Africa has a sub-regional organisation that consist of countries such as South Africa, Mozambique, Madagascar, Zimbabwe, Seychelles, Mauritius, DRC, Tanzania, Angola, Namibia, Zambia, Malawi, Lesotho, Swaziland and Botswana.<sup>1</sup> This organisation is called Southern African Development Community (SADC).

SADC's aim is to promote sustainable and equitable economic growth and socio-economic development that will ensure poverty alleviation with the ultimate objective of its eradication, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through regional integration; common political values, systems and other shared values which are transmitted through institutions which are democratic, legitimate and effective; consolidate, defend and maintain democracy, peace, security and stability; self-sustaining development on the basis of collective self-reliance, and the interdependence of Member States, among others.<sup>2</sup>

With the existence of SADC, one would expect speedy solutions to conflicts within and among member states that can lead to violent conflict, causing instability in the sub-region. This would be expected because one of the aims of SADC is to defend and maintain democracy, peace, security and stability.

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<sup>1</sup> SADC Summit, Maseru- Lesotho. (1996, August 24). SADC Communiqué.

<sup>2</sup> <http://www.iss.co.za/>.

## Research Problem

Southern Africa has experienced a violent conflict in Lesotho in 1998 and in Zimbabwe.<sup>3</sup> In 1998 both the South African National Defence Force and Botswana Defence Force were tasked by SADC to intervene. By then Maseru was burning because there were looters taking what they could and both the Lesotho Police and Lesotho Defence Force were seem to be doing nothing to bring about an end to this rioting.

It was clear that there was a misunderstanding between the Lesotho security forces and that there was a political problem resulting into the government having the dispute between the ruling party and the opposition party or parties. There was a clear lack of control over the security forces by the Lesotho government, which led to the failure of such forces to bring about security and stability to prevent rioting by people in 1998. This rioting had a negative impact on the economy and its performance in that country. SADC forces were successful in bringing that insecurity under control and allowed the rebuilding of the country.

Not long after the Lesotho unrests of 1998, Zimbabwe experienced unrests within its borders.<sup>4</sup> White farmers were attacked and their farms forcefully occupied by the so-called "war veterans" and there were complains by the international community that the Zimbabwe elections of 2000 were not free and not fair. This complain came from the international community outside SADC and this sub-regional organisation was not seen to be doing anything to solve the obviously existing intrastate political and economic

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<sup>3</sup> [http://www.enwikipedia.org/wiki/History\\_of\\_Lesotho](http://www.enwikipedia.org/wiki/History_of_Lesotho).

<sup>4</sup> Cornwell, R. (2003). Zimbabwe's Turmoil. Institute of Security Studies.

conflict in Zimbabwe. No SADC intervention (political or military) is or has been seen taking place in Zimbabwe as was seen in Lesotho in 1998.

Is there any significant role played by Southern African Development Community in Southern Africa's stability and security, be it political or economical?

### **Purpose of Research**

To indicate whether Southern Africa is politically and militarily stable as a result of the role played by Southern African Development Community. The objectives are:

- to determine whether SADC has clear, sufficient and an enforceable mandate to ensure sub-regional peace and stability (political and security);
- is there any violent or non-violent conflict in Zimbabwe that warrants SADC to act in order to prevent its escalation and what led to it;
- does SADC have the capacity to intervene in non-violent and violent conflicts in member states; and
- what were the circumstances that led to SADC's military intervention in Lesotho in 1998.

### **Background to the study**

Lesotho became ungovernable in 1998 as a result of political rivalry between the ruling party and the opposition party, which refused to accept defeat after the elections in which the government got 79 of the 80 seats. As a result of dissatisfaction with the election results, the opposition party challenged the Electoral Officials and the government in the Lesotho High Court, but lost the case. This dissatisfaction spilled over to the citizens of Lesotho who showed

anger by rioting, which resulted in the looting and burning of shops in Maseru. Adding to the mounting chaos, an army mutiny broke out in early September 1998 when junior officers rebelled and seized senior officers as hostages. As a result, Lesotho Defence Force commander, Lieutenant General Makhula Mosakeng (the then Chief of the Royal Lesotho Defence Force) dismissed 26 senior Army officers and then resigned later. Due to the uncertain military situation and confusion, the army refrained from serious efforts to restore order as civilian demonstrations continued.<sup>5</sup>

SADC was asked by Prime Minister Phakalitha Mosisili of Lesotho to intervene in his country and stop violence and looting, which it did by deploying the Botswana and South African Defence Forces in peacekeeping operations. Peacekeeping operations were aimed at stopping the looting, violence and disarming the Royal Lesotho Defence Force, which was done successfully with minimum casualties (experienced by South African and Royal Lesotho Defence Forces).<sup>6</sup>

Not long after the deployment of SADC forces to Lesotho, Zimbabwe government was experiencing misunderstanding between itself and the liberation war veterans for failing to honour the promise for land after the blacks win their country from the whites. The government failed to acquire and distribute land because white farmers occupied it and the British government had to give Zimbabwe money to buy those farms, which she did not do. Under pressure from the war veterans, Zimbabwe government promulgated laws which empowered it to acquire land from white farms without paying them any money. The war veterans used this law to invade, kill or injure farmers and

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<sup>5</sup> Violence in Zimbabwe (1998, 16 September). [BBC News](#).

<sup>6</sup> Lesotho: Slim chance of repeat of 1998 unrest. (2002, 30 May). [IRIN News](#).

their labourers, and forcefully occupied them. They also divided the occupied farms among themselves and neither the government, the police nor the courts did anything in favour of the farmers or their workers.<sup>7</sup>

While the land dispute was on, the new opposition party was formed, consisting of whites, workers and trade unions. This party was called the Movement for Democratic Change (MDC) and it successfully challenged the government regarding the land issue and won in a referendum regarding land. The government harassed the MDC and its supporters, and a number of its supporters were injured or killed during the campaigning and presidential elections in 2002 by government supporters. Leaders were also locked up in order to ensure that this party is not able to win majority vote because the Mugabe government felt threatened by it.<sup>8</sup>

### **Significance of the study**

The study will indicate whether conflict exists in Zimbabwe and at what stage it is. The study will also indicate whether something is or is not being done and what ought to be done, if necessary, to stabilise the political situation in Zimbabwe and Southern Africa. The contribution of the study will be more on determining whether Inter-state Defence and Security Committee (ISDSC) of SADC is capable of executing its mandate, what the possible obstacles are and what need to be done to make it effective.

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<sup>7</sup> Amnesty International Zimbabwe: Terror Tactics in the Run-up to Parliamentary Elections. (2000, June). Amnesty International. and European Union, Report of the E.U. Election Observation Mission on the Parliamentary Elections in Zimbabwe 24-25 June 2000. (2000, July). European Union.

<sup>8</sup> Talbot, C. (2000, 12 April). Tensions grow between Zimbabwe's ZANU-PF government and MDC opposition. IRIN News.



## **Scope and Limitations**

The study will concentrate on the conflict experienced by Zimbabwe. It will identify the causes of that conflict and the reasons why nothing seems to be done. The study will help in understanding why SADC deployed its soldiers in quelling political violence in Lesotho and find out if there are similarities or differences in conflicts as experienced by the two mentioned countries. The study will be concentrated on Zimbabwe's conflict since independence to presidential elections in 2002, with the Lesotho's 1998 conflict used to explain why nothing or something seems to be done in Zimbabwe. SADC as a sub-regional organisation will not be addressed in terms of the general conflicts experienced, but in terms of action or lack of action so far as the Zimbabwe conflict is concerned and the military actions it took in Lesotho.

Since there will be no enough time and appropriate and adequate resources to visit the concerned countries to do the study, the researcher will rely on secondary sources regarding SADC as an organ and the actual political and economic situation in both Lesotho and Zimbabwe, and the actions of SADC in the mentioned countries. The researcher will also use his personal experience in explaining what is happening in Zimbabwe and what ought to be done, if at all.

## **Definition of Terms**

Mwagiru defines conflict as, "...what is it that has happened to lead these people to the situation of conflict? What happens when there is a conflict is that people (individuals, communities, etc.) have developed points of view that are not only opposed to each other, but which are incompatible with each other. Incompatible points of view means that people feel that they cannot

accommodate the other without giving in on things and positions that they value. Their views as aspirations thus clash with each other and when this happens, there is said to be a situation of conflict".<sup>9</sup>

The operational definition of conflict is that it is a situation where individuals or groups do not share the same ideas about a situation or an issue at hand, of which they feel strongly about. If this misunderstanding exists, then conflict exists between or among the people or groups and may lead to violence, unless something is done to defuse the situation causing conflict.

### **Review of literature**

The Zimbabwe government repeatedly failed to honour agreements reached between itself and veterans of the liberation war (war between the Rhodesian white government and the blacks) over land, which resulted in growing tension.<sup>10</sup> In 1980 there were about 60 000 men and women who had been guerrilla members of the two Zimbabwe liberation movements, ZANLA (affiliated with ZANU-PF) and ZIPRA (affiliated with ZAPU). About 20 000 of them were integrated into Zimbabwe Defence Force, the remainder were demobilised and awarded a small pension, but given no other assistance to help them in starting a new civilian life. In April 1989 the Zimbabwe Liberation War Veterans' Association (WVA) was formed, bringing together ex-combatants from both ZANLA and ZIPRA to lobby for increased government assistance.

By 1991 the government opened negotiations with the veterans' group and several laws were passed in their favour, including a War Victims

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<sup>9</sup> Mwagiru, M. (2003). Peace and Conflict Management in Kenya. Pann Printers: Nairobi.

<sup>10</sup> Carver, R. (2000, June). Zimbabwe: A Strategy of Tension. Writtenet.

Compensation Act (1993).<sup>11</sup> The administration of the compensation, however, was corrupt and inefficient. A number of senior ZANU officials were later found to be claiming large pay-outs, while those in real need remained neglected. The confrontation over these issues provoked a crisis in relations between the government and the WVA. In August 1997 a commission of inquiry was appointed to look into abuses in the payment system (the Chidyausiku Commission), provoking a split in the WVA between those who supported and those who opposed the investigation. In September 1997, at the ZANU-PF summit, Mugabe bowed to pressure and announced a package for veterans that included a once-off payment of Z\$50 000 to each veteran and a Z\$2 000 per month pension for life. No mention was made as to how the state would pay for this commitment. The pledge gave some war veterans an interest in the continued rule of ZANU-PF. By mid-1999, the WVA faction led by Chenjerai Hitler Hunzvi, who later led farmland invasions of 2000, was close to the government of President Robert Mugabe in making him realise the land issue.

The growing economic crisis made the land issue and the demands of the war veterans worse for Zimbabwe and its government. The new government (immediately after independence in 1980) had borrowed heavily from the World Bank during the 1980s. Servicing the debt rose to 37 per cent of export earnings by 1987. Small-holding peasants defaulted on more than 75 000 out of 94 000 loans given to them, worsening the government's fiscal

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<sup>11</sup> Chitiyo, T.K. (2000, May). Land Violence and Compensation: Reconceptualising Zimbabwe's Land and War Veterans' Debate-Track Two Occasional Paper. vol. 9, no. 1, Centre for Conflict Resolution. p.16.

crisis.<sup>12</sup> The adoption of an Economic Structural Adjustment Program (ESAP) in 1991 led to increases in interest rates. Inflation increased and drought in 1992 and 1995 compounded the problems. Land reform was not integrated into ESAP, while large scale commercial farmers were the principal beneficiaries of reforms promoting agricultural exports. The stock market fell and manufacture contracted by 40 per cent between 1992 and 1996. Many workers were laid off as a result. Zimbabwe was in the throes of a serious economic and political crisis by 1997. The spiralling food and fuel prices inspired urban strikes and political protests, thus radicalising the trade union movement under the Zimbabwe Congress of Trade Unions.<sup>13</sup>

There was a militant strike wave in 1998, which saw public sector workers at the forefront of the growing resistance, including two successful national general strikes. The domestic financial problems of June 1998 were worsened by the Mugabe government's decision to send the first wave of what would eventually be 11 000 soldiers from the Zimbabwe Defence Force to the Democratic Republic of Congo. They fought in support of the government of the then President Laurent Kabila.<sup>14</sup>

There was a growing confrontation between the British government and other donors, and the Zimbabwean government over the financing of land transfers, and the November 1997 government notice of compulsory acquisition of 1 471 farms (about 3.9 million hectares. An international donors'

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<sup>12</sup> Inflation in Zimbabwe surges to record 103.8 percent. (2001, 18 December). SAPA-AP.

<sup>13</sup> Mugabe says he will ban ZCTU, expel whites. (2002, 21 February). Financial Gazette.

<sup>14</sup> Zimbabwe: In the Party's Interest? (1999, June). African Rights.

conference on land reform and resettlement was held in September 1998. The said conference aimed to build a consensus among various stakeholders on Zimbabwe land reform issue. A set of principles was adopted to govern "phase two" of land resettlement in Zimbabwe, including respect for a legal process, transparency, poverty reduction, affordability and consistency with Zimbabwe's wider economic interests.<sup>15</sup> A technical committee worked on finalising the details of the new system. Relations between the donors and the Mugabe government broke down and worsened the already worse economic situation in that country.

In its turn, the Zimbabwe government accused the donors of not actually putting up the funds that they had pledged and of protecting the neo-colonial interests of white-owned agribusiness. The donors accused the government of continued lack of transparency and failure to adhere to the principles agreed at the donor conference. The donors introduced new conditions related to governance were attached to funding for land reform. Despite these difficulties, some progress was made and by the end of 1999. Thirty-five farms totalling 70 000 hectares of land had been purchased, with others in line to be acquired. A draft land tax bill had been produced and steps taken to limit farm sizes.<sup>16</sup>

Stakeholders demanding economic and political reform came together in 1997 to form the National Constitutional Assembly (NCA), an alliance of civil

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<sup>15</sup> Land Reform and Resettlement Programme: Revised Phase II. (2000, July). Revised Zimbabwe Constitution. Paragraph 3.2.1.3.

<sup>16</sup> Moyo, S. (2001). The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe's Land Reform. IRIN News. p.24.

society groups which initiated a process of debate on the need for a new constitution. In 1999, representatives of a wide range of interest groups formed a new political party, the Movement for Democratic Change (MDC).<sup>17</sup> The creation of the MDC was the first time in Zimbabwe's post-independence history that an opposition party had succeeded in creating a genuinely national movement and, thus represented a real threat to the ruling party. The MDC was the first party to attract support from white Zimbabweans and received significant financial support from white businesses and commercial farming communities.

In addition to calling for national renewal on a range of issues, the MDC promised 'people-driven' land reform. The party committed itself to purchasing 6-7 million hectares of land for resettlement through the acquisition of under-utilised, derelict and multiple owned land, land already identified and designated for the purpose and that which was corruptly acquired. At that time the Mugabe government's policy was to acquire 5 million hectares of land from the commercial farming sector for redistribution. In an attempt to co-opt the demand for constitutional reform, in May 1999 President Mugabe created an official government commission, consisting of almost 400 members, to rewrite the constitution.<sup>18</sup> A large number of public meetings were held to solicit public views, but these meetings were largely ignored. A draft constitution, including provisions that would greatly strengthen the executive at the expense of parliament and extend the powers of the government to acquire land

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<sup>17</sup> MDC Manifesto. (2000). Paragraph 3 and Agriculture, Land and Water Policy Statement, June 2000 ([www.mdczimbabwe.com](http://www.mdczimbabwe.com)).

<sup>18</sup> Cheater, A. (2001, January). Human Rights and Zimbabwe's June 2000 Election. Zimbabwe Human Rights NGO Forum Human Rights Research Unit, pp.8-13 and 'The referendum and results'. (2000,12March). The Standard.

compulsorily without compensation, was adopted against the protests of a substantial number of members of the constitutional commission and submitted to a national referendum in February 2000. The MDC campaigned for a 'no' vote. The government was defeated in the referendum by 53 per cent of the 1.3 million votes cast.<sup>19</sup>

In the face of the challenge represented by the MDC and other increasingly outspoken critics of his government, President Mugabe and ZANU-PF responded on two fronts. On the one hand, the government revived the call for radical land redistribution to fulfil the promises made at independence. In that manner an official blessing was given to a new wave of land occupations led by members of the War Veterans Association, under Chenjerai Hitler Hunzvi, that had rapidly accelerated following the referendum result.<sup>20</sup> Members of the police and army were also involved in co-ordinating and facilitating these occupations. Capitalizing on the fact that land reform remains a powerful issue for any political party to invoke, ZANU-PF campaigned for the June 2000 parliamentary elections on the slogan "Land is the Economy, the Economy is Land."<sup>21</sup>

The government implemented the provisions of the rejected draft constitution relating to land acquisition through parliament, adding a new

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<sup>19</sup> Chitiyo, T.K. (2000). 'Land Violence and Compensation.' pp.19-22 and Carver, R. (2000, June). 'Zimbabwe: A Strategy of Tension.' Writenet.

<sup>20</sup> Moyo, S. (2001). 'The Interaction of Market and Compulsory Land Acquisition Processes with Social Action.' pp.28-30; Chitiyo, T.K. (2000). 'Land Violence and Compensation.' p.19; Moyo, S. (2001). 'The Land Occupations Movement and Democratization: The Contradictions of the Neo-liberal Agenda in Zimbabwe.' (unpublished paper).

<sup>21</sup> Cheater, R. (2001). Human Rights and Zimbabwe's June 2000 Election. IRIN News, p. 35 and Human Rights Monitor 2000 Annual Report. (2001). Zimbabwe Human Rights NGO Forum.

section 16A to the existing constitution. The amendment, which became law in April 2000, significantly extended the grounds on which land could be compulsorily acquired and absolved the government from providing compensation, except for improvements. Britain, the former colonial power, should have provided any compensation to farmers for state acquisition of their land, but this has not taken place yet.<sup>22</sup> The Land Acquisition Act was further amended in May 2000, using the power given to the president to enact six months temporary legislation under the Presidential Powers (Temporary Measures) Act of 1986 and again November, through parliament in a two-day process.<sup>23</sup>

There had been some political violence before the February 2000 referendum, but the parliamentary elections were marked by much worse violence and intimidation, supported by public statements made by senior government officials, directed against MDC candidates and supporters, white farm owners and black farm workers, teachers, civil servants, journalists and residents of rural areas believed to support opposition parties.<sup>24</sup> While there was some reciprocal violence by MDC supporters against the ruling party, all evidence showed opposition supporters as the majority of victims and ZANU-

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<sup>22</sup> Letter from British Minister for International Development Clare Short to Zimbabwe's Land and Agriculture Minister Kumbirai Kangai, quoted in Chris McGreal, "Blair's worse than the Tories, says Mugabe." (1997, 22 December). 1997 Mail and Guardian.

<sup>23</sup> Ministry of Lands, Agriculture, and Rural Resettlement, Land Reform and Resettlement Programme: Revised Phase II. (2001, April). Government of Zimbabwe. Paragraph 2.4.

<sup>24</sup> Terror Tactics in the Run-up to Parliamentary Elections. (2000, June). Amnesty International and Report of the E.U. Election Observation Mission on the Parliamentary Elections in Zimbabwe 24-25 June 2000 (2000, July). European Union.



PF supporters as the majority of perpetrators.<sup>25</sup> There was also widespread criticism of the conduct of the poll, media bias and the legal framework provided by the Electoral Act. The MDC came close to winning more seats than ZANU-PF, gaining 57 seats to the ruling party's 62. Thirty MDC MPs were appointed by the executive on a 50 per cent turnout bases. The MDC challenged 39 constituency results in the High Court. The defeated candidates and many witnesses were themselves subjected to serious intimidation by the government and its supporters. At least 72 people died in pre-election political violence and 8 in post-election violence up to the end of the year.

Political violence and that connected to land reform programme continued in 2001 and at least 48 people died in political violence during that year. Harassment of opposition activists and intimidation of farm workers escalated by the end of the year and into early 2002, though there was some transfer of geographical focus from commercial farming areas to communal land and towns.<sup>26</sup>

Events in Zimbabwe raised neglected questions of the unequal distribution of land in Southern Africa, the unfinished business of transition from colonialism to national independence. The manner in which the latest redistribution of land in Zimbabwe came about caused violence, destruction of

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<sup>25</sup>: 'Fast Track Land Reform in Zimbabwe'. Vol. 14, No 1(A). (2000, March). Human Rights Watch.

<sup>26</sup>Politically Motivated Violence in Zimbabwe, 2000-2001: A report on the campaign of political repression conducted by the Zimbabwean Government under the guise of carrying out land reform. Harare: July 2001, Zimbabwe Human Rights NGO Forum. p.4 and: Political Violence Report January 2002. (2002, February) Zimbabwe Human Rights NGO Forum.

property, dislocation of farm workers and farm owners, and political intolerance. This violence was long overdue and that it enjoys the support from the large sections of the population.<sup>27</sup> The challenge faced by Southern Africa as a sub-region is to assist Zimbabweans to re-establish the rule of law and create a democratic and prosperous country. Any intervention will have to first address the political and economic situation together with the land issue, if any intervention is to succeed in Zimbabwe. The Landless People's Action Campaign found in South Africa is as a result of what the 'war veterans' did in Zimbabwe. They state that this, together with the high influx of refugees to South Africa forced out of Zimbabwe by poor economy, is the indication that the Zimbabwe situation has a negative effect on South Africa and that she needs to do something to force the economic and political change in that country.

The origins and nature of Zimbabwe crisis are summarised by Maroleng as follows<sup>28</sup>:

- Failure of the independence leadership to transform the repressive colonial state structure into a democratic institution;
- The dismal failure of the IMF/World Bank structural adjustment policies which resulted in the mass impoverishment of Zimbabweans;
- The capture of state by corrupt, self-seeking and authoritarian political elite; and

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<sup>27</sup> Kagoro, K., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. and Cornwell, R. (2003, 17 June). Zimbabwe's turmoil: Problems and prospects. African Security Analysis Programme Forthcoming Monograph.

<sup>28</sup> Maroleng, C. (2003, February). Situation Report, Zimbabwe: Smoke Screens and Mirrors. Institute of Security Studies.

- The culture of intolerance and impunity exercised by President Robert Mugabe.

According to Nondo SADC is a sub-regional organisation, which opted for a more robust security mechanism in solving with conflicts in Southern Africa. It established the Organ on Politics, Defence and Security Co-operation for conflict prevention, management and resolution. This applies to member states involved in inter and intra-state conflicts, where coups have taken place or in the event of an extra-regional invasion of any member state. He states that Zimbabwe is a member state of SADC.<sup>29</sup> SADC intervened internal political conflict in Lesotho in 1998 and the DRC, albeit controversially, but remains quiet over the Zimbabwe situation. He also states that SADC's sub-regional security situation is still precarious. Reasons he gives are weak democratic processes, greed and grievances. He states that the concept of national interest and security are substantially contested in the sub-region. There is tendency for SADC countries not to interfere in a member state's internal affairs.

The above study contains some of the data I need to come to a conclusion regarding what SADC needs to do in order to effectively solve intra and inter-state conflicts in Southern Africa. My work will indicate whether there is internal conflict in Zimbabwe, at what stage is that possible conflict, whether it warrants action by SADC in intervening and solving it, what methods of conflict solution need to be used and if SADC has the ability to act in solving inter and intra-state conflicts in the sub-region.

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<sup>29</sup> Nondo, M.B. (2003). *Emergence of Sub-Regional Conflict Management Mechanisms in Sub-Sahara Africa: A Comparative Study of IGAD and SADC*. Nairobi – Unpublished.

## Conceptual framework

Mwagiru states that structural conflict exists because something is wrong with the structure of relationship with people. He states that in relations between citizens and the government, there are rules and understandings that apply. The government has to protect the life, liberty and dignity of its citizens. He states that when those involved in the relationships break the said rules, or fail to observe the understandings, there is a problem with the structure of those relationships.<sup>30</sup> Violent conflict is where harm, destruction and ruin to what people value is cause.

Mwagiru deals with the conflict cycle. He states that there is no violence in conditions of peace. Tensions will begin to develop in a community where conditions of peace are left unattended.<sup>31</sup> This tension may be minor and may not be noticed. This minor tension may build up and eventually lead to crises. If the crisis situation persists unnoticed, crises increases and violence may result.

I chose structural conflict because it closely describes the Zimbabwe situation much better than most theories. Some farmers and MDC supporters were been killed or injured, property damaged or destroyed by the "war veterans" while the Zimbabwe police and soldiers looked on and did nothing as stated earlier. This is an indication that the structure in Zimbabwe is wrong and the government violated the rules and understandings between itself and part of its citizens. Violent conflict, as already been said, took place because of people who were killed and property damaged and destroyed in Zimbabwe.

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<sup>30</sup> Mwagiru, M. (2003). Peace and Conflict Management in Kenya. Pann Printers: Nairobi. pp. 9-10.

<sup>31</sup> Mwagiru, M. (2003). Peace and Conflict Management in Kenya. Ibid. pp. 46-47.

The conflict cycle will help explain the stage in which the Zimbabwe conflict is so that the right recommendations are made for the correct intervention by SADC, if necessary.

### **Research hypotheses**

- SADC intervened in Lesotho because there was violent conflict that warranted its action to a member state.
- Zimbabwe's political situation warrants the intervention by SADC to prevent violence from escalating.
- Zimbabwe does not have internal conflict that warrants intervention by SADC in a member state.

### **Methodology**

The main source of data will be secondary sources available on the Internet and library about the situation in Zimbabwe since independence to December 2003, about Lesotho from 1997 to 1998, and what the functions of the SADC are in dealing with conflict in the sub-region.

### **Expected outcome of the project**

The project is expected to prove that SADC lacks support to act in solving intra and inter-state conflicts, lacks the necessary military muscle to flex against members who are not acting in accordance with agreed standards and that its structure for dealing with conflicts needs to be re-organised in order to enable SADC to do what it exists for.

## **Brief outline of the proposed thesis**

### **Chapter 1: Framework of the study**

Introduction; statement of the problem; objective of the study; justification of the study; appraisal of the literature; theoretical framework; hypothesis; and methodology.

### **Chapter 2: SADC as a sub-regional organisation**

Objectives; structures; Inter-state Politics and Diplomacy Committee; Inter-State Defence and Security Committee; and conflict prevention, management and resolution.

### **Chapter 3: Circumstances led to conflict situation in Zimbabwe**

The land issue and Lancaster House Agreement; challenge of Mugabe's government by MDC and its leader, Morgan Tsvangirai; farm attacks by "war veterans"; reaction by the government towards the farm killings; the 2000 presidential elections in Zimbabwe; the effects of Zimbabwe's military involvement in the DRC; reaction to farm attacks and occupation; reaction to the 2000 elections; and reaction to media's lack of freedom.

### **Chapter 4: Lesotho's 1998 unrests**

Background to Political Unrests in Lesotho; results of Political Unrests in Lesotho that led to violence in 1998; and involvement of SADC in stabilising and Normalising Lesotho.

### **Chapter 5: Critical analysis of the situation in Zimbabwe and involvement of SADC**

The causes of conflict in Lesotho; reasons for military intervention in Lesotho by SADC forces; the causes of conflict in Zimbabwe; peaceful means of settling

disputes in Zimbabwe; and the use of Force in Settling Dispute in Zimbabwe by SADC

### **Chapter 6: Conclusion and Recommendations**

Was the military intervention of SADC appropriate in settling the Lesotho's dispute?; what should SADC do in Zimbabwe to end the conflict?; and what should SADC do in future in order to ensure that internal disputes of member countries are solved timely?

## CHAPTER 2

### SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

#### Introduction

Southern Africa has an organisation that is responsible for the sub-regional co-operation in various fields.<sup>32</sup> Co-operation is sought in political, economic, military and other issues of concern to the member countries. Africa is a continent full of conflict, hunger and starvation as a result of political instability in some countries. Political instability and insecurity were experienced when the late Idi Amin forcefully took over power in Uganda, the late Samuel Doe in Liberia and the late Dr Kamuzu Banda of Malawi.<sup>33</sup> Lack of economic development accompanied with drought and civil wars in some countries such as Ethiopia (during Colonel Mengistu's rule) caused famine that killed a number of people (in addition to casualties of war) and caused exodus of refugees and displaced people.<sup>34</sup>

Any regional or sub-regional organisation should have an ability to deal effectively with member states in ensuring that all tensions are solved peacefully before they escalate to violent conflict so that lives are not unnecessarily lost and economic activities interrupted. Violent conflict is where people fight each other. Nowadays Africa has deadly means of fighting, which include the use of rifles and explosives capable of destroying lives, property and setting countries' development backwards. The effect of war can be seen in any country where wars took place. Countries like Mozambique and Angola

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<sup>32</sup> <http://www.gov.co.za/>.

<sup>33</sup> Kaufman, M.T. (2003, 16 August). Idi Amin, a Brutal Dictator Dies. The New York Times.

<sup>34</sup> "Ethiopia: Holocaust in the Making". (2001, 27 April). <http://www.promoliberationfront.org/>



are starting afresh in redeveloping themselves in all spheres of life as a result of devastation caused by protracted wars.<sup>35</sup>

In this chapter the Treaty establishing SADC, SADC Protocol on Politics, Defence and Security Co-operation, and the conflict early warning mechanism of the OAU/AU will be discussed. SADC is discussed in terms of its articles that have to do with how it ensures peace among member states and the means it has to deal with possible conflicts. The intention is to determine if SADC has the capacity to ensure peace in Southern Africa. The OAU/AU conflict prevention, management and resolution mechanisms are discussed with the aim to identify if SADC has an equal or better, or lesser ability to deal with conflict and if it can learn from these organisations. The main source of reference is the South African government and SADC website, but other sources that are relevant have been used as well.

## **Part A: The Treaty of SADC**

### **Chapter 2: Establishment and legal status**

The Treaty establishing SADC, the Protocol on Inter-State, Defence and Security Committee as found on SADC and Institute of Security Studies websites are discussed.<sup>36</sup>

#### **Establishment of SADC**

Article 2 states that by the Treaty, the High Contracting Parties establish the SADC. The Headquarters of SADC is Gaborone in the Republic of Botswana.

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<sup>35</sup> Drogan, B. (1995, 26 March). "Sending Children to War from Mozambique to Bosnia". The Los Angeles Times.

<sup>36</sup> Malan, M. (1998). SADC and Sub-Regional Security. Institute for Security Studies and <http://www.sadc.int/>.

## **Legal status**

Article 3 states that SADC is an international organisation and has a legal personality with capacity and power to enter into contract, acquire, own or dispose of movable or immovable property and to sue and be sued. In the territory of each Member State, SADC shall have such legal capacity as is necessary for the proper exercise of its functions.

## **Chapter 3: Principles, objectives, SADC common agenda and general undertakings**

### **Principles**

Article 4 states that SADC and its Member States shall act in accordance with sovereign equality of all Member States; solidarity, peace and security; human rights, democracy and the rule of law; equity, balance and mutual benefit; and peaceful settlement of disputes.

### **Objectives**

Article 5 states that the objectives of SADC include, among others, the promotion of common political values, systems and other shared values which are transmitted through institutions which are democratic, legitimate and effective; consolidate, defend and maintain democracy, peace, security and stability. In order to achieve the set objectives, SADC shall, among others, create appropriate institutions and mechanisms for the mobilisation of requisite resources for the implementation of SADC and its institutions.

## **General undertakings**

Article 6 states that member States undertake to adopt adequate measures to promote the achievement of the objectives of SADC, and shall refrain from taking any measures likely to jeopardise the sustenance of its principles, the achievement of its objectives and the implementation of the provisions of this Treaty; SADC and Member States shall not discriminate against any person on grounds of gender, religion, political views, race, ethnic origin, culture, ill health, disability, or such other ground as may be determined by the Summit; SADC shall not discriminate against any Member State; take all steps necessary to ensure the uniform application of this Treaty; take all necessary steps to accord this Treaty the force of their national law; and Member States shall co-operate with and assist institutions of SADC in the performance of their duties.

## **Chapter 4: Membership**

According to Article 7 SADC member states are Republic of Angola, the Republic of Botswana, the DRC, the Kingdom of Lesotho, the Republic of Malawi, the Republic of Mauritius, the Republic of Mozambique, the Republic of Namibia, the Republic of Seychelles, the Republic of South Africa, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Zambia and the Republic of Zimbabwe.

## **Chapter 5: Institutions**

According to Article 9 the Summit of Heads of State or Government; the Organ on Politics, Defence and Security Co-operation; the Council of Ministers; the ICM; the SCO; the Secretariat; the Tribunal; and SADC National Committees have been established.

## **The Troika**

Article 9A states that the Troika shall apply with respect to the Summit, the Organ, the Council, the ICM and the SCO. The Troika of the Summit shall consist of the Chairperson of SADC, the Incoming Chairperson who shall be the Deputy Chairperson and the Outgoing Chairperson.

Article 9A also states that the respective offices of the Troika of the Summit shall be held for a period of one year; the membership and term of office of the Troika of the Council, the ICM and the SCO shall correspond to the membership and term of office of the Troika of the Summit; the Troika of the Organ shall consist of the Chairperson of the Organ; the Incoming Chairperson of the Organ who shall be the Deputy Chairperson of the Organ and the Outgoing Chairperson of the Organ; the Troika of each institution shall function as a steering committee of the institution and shall, in between the meetings of the institution, be responsible for decision-making, facilitating the implementation of decisions and providing policy directions; the Troika of each institution shall have power to create committees on an ad hoc basis; the Troika of each institution shall determine its own rules of procedure; and the Troika of each institution may co-opt other members as and when required.

The important Troika is that of the Summit because it is the one that take decisions about interventions or peacekeeping to prevent conflict from erupting, or to prevent further killings. The presence of Incoming and Outgoing Chairmen ensures continuity within the organisations. This helps ensure that decisions taken by the previous Chairperson are not shelved, but implemented.

## **The Summit**

Article 10 states that the Summit shall consist of the Heads of State or Government of all Member States, and shall be the supreme policy-making Institution of SADC; the Summit shall be responsible for the overall policy direction and control of the functions of SADC; subject to Article 22 of this Treaty, the Summit shall adopt legal instruments for the implementation of the provisions of this Treaty, provided that the Summit may delegate this authority to the Council or any other institution of SADC, as it may deem appropriate; it shall elect a Chairperson and a Deputy Chairperson of SADC from among its members for one year on the basis of rotation; the Summit shall meet at least twice a year; and unless otherwise provided in this Treaty, the decisions of the Summit shall be taken by consensus and shall be binding.

This article give powers to the Heads of Government or States to make decisions regarding actions to be taken by SADC, which ensures that the right people are the ones who decide what is to be done and where. This is a strength to SADC because the Heads of States or Government are also ensure that the needed resources are put together in order to accomplish the said mission.

## **Organ on Politics, Defence and Security Co-operation**

Article 10A states that the Summit shall select a Chairperson and a Deputy Chairperson of the Organ on the basis of rotation from among the members of the Summit; the Chairperson of the Organ shall consult with the Troika of the Summit and report to the Summit; there shall be a Ministerial Committee of the Organ, consisting of the Ministers responsible for foreign affairs, defence; public security; or state security, from each of the Member States, which shall

be responsible for the co-ordination of the work of the Organ and its structures; the structure, functions, powers and procedures of the Organ and other related matters shall be prescribed in a Protocol; and decisions of the Organ shall be taken by consensus.

After the approval of the Summit that action should be taken to prevent any disturbance to peace, the Organ is responsible to take action. This action shall include, among others, the combined forces from different Member States and deciding on the mission to be carried out. The Organ stands a chance of knowing better about what is happening in the region because it has the Ministers of Foreign Affairs who are responsible for international relations, which is about understanding the politics of other countries and be able to predict what may happen in the future. It also has the Ministers of Defence and Public Security who have people who are trained in enforcing or keeping peace and fighting crime, which makes it the right organisation to advice the Summit about what actions are to be taken against any Member State, where necessary. For that reason, it stands a chance of being able to know and peacefully prevent conflicts before they arise, depending on seriousness and willingness of Member States to live up to expectations.

### **The Council**

Article 11 states that the Council shall consist of one Minister from each Member State, preferably a Minister responsible for Foreign or External Affairs; it shall be the responsibility of the Council to oversee the functioning and development of SADC, oversee the implementation of the policies of SADC and the proper execution of its programmes, advise the Summit on matters of overall policy and efficient and harmonious functioning and

development of SADC, approve policies, strategies and work programmes of SADC, direct, co-ordinate and supervise the operations of the institutions of SADC subordinate to it, recommend, for approval to the Summit, the establishment of directorates, committees, other institutions and organs, create its own committees as necessary, recommend to the Summit persons for appointment to the posts of Executive Secretary and Deputy Executive Secretary, determine the Terms and Conditions of Service of the staff of the institutions of SADC, develop and implement the SADC Common Agenda and strategic priorities, convene conferences and other meetings as appropriate, for purposes of promoting the objectives and programmes of SADC and perform such other duties as may be assigned to it by the Summit or this Treaty.

### **The Executive Secretary**

Article 15 states that the Executive Secretary shall be responsible to the Council for consultation and co-ordination with Governments and other institutions of Member States; pursuant to the direction of Council, Summit or on his or her own initiative, undertaking measures aimed at promoting the objectives of SADC and enhancing its performance; promotion of co-operation with other organisations for the furtherance of the objectives of SADC; organising and servicing meetings of the Summit, the Council, the SCO and any other meetings convened on the direction of the Summit or the Council; preparation of Annual Reports on the activities of SADC and its institutions; diplomatic and other representations of SADC; public relations and promotion of SADC; and such other functions as may, from time to time, be determined by the Summit and Council.

Article 15 also states that the Executive Secretary shall liaise closely with other institutions, guide, support and monitor the performance of SADC in the various sectors to ensure conformity and harmony with agreed policies, strategies, programmes and projects; and the Executive Secretary and the Deputy Executive Secretary shall be appointed for four years, and be eligible for appointment for another period not exceeding four years.

Since it is the duty of the Executive Secretary to ensure that the objectives of SADC are met, it is his/her duty to ensure that the political situation within the region is monitored and reported on continuously. He/she is responsible for diplomacy, which gives him/her powers to intervene diplomatically in any conflict with the aim of finding a peaceful solution. Should this fail, it is the Executive Secretary's duty to report to the Council for drastic measures to be taken to bring about peace within a Member State where the need arise. The Executive Secretary is a full member and leader within SADC and stands a chance of having thorough knowledge about the possible conflict in the region. His/her office should play a better and influential role in ensuring that Member States observe SADC agreements aimed at bringing about peace and security in the sub-region. An Executive Secretary who is a dedicated and good diplomat would be able to convince the Summit to approve necessary actions against any Member State which violates such agreements in order to contribute effectively to the existence of SADC.

### **The Tribunal**

Article 16 states that the Tribunal shall be constituted to ensure adherence to and the proper interpretation of the provisions of this Treaty and subsidiary



instruments and to adjudicate upon such disputes as may be referred to it; the composition, powers, functions, procedures and other related matters governing the Tribunal shall be prescribed in a Protocol, which shall, notwithstanding the provisions of Article 22 of this Treaty, form an integral part of this Treaty, adopted by the Summit; members of the Tribunal shall be appointed for a specified period; the Tribunal shall give advisory opinions on such matters as the Summit or the Council may refer to it; and the decisions of the Tribunal shall be final and binding.

The Tribunal can play a major role in support of the SADC and the Executive Secretary, in ensuring that non-coercive last means are adopted in solving disputes peacefully. The SADC Tribunal plays an important role because its decision are binding upon concerned Member States, which gives SADC an advantage over the International Court of Justice because its decisions are implemented voluntarily by affected members.<sup>37</sup>

### **Part B: Protocol On Politics, Defence and Security Co-Operation**

According to SADC Communiqué the Heads of State or Government of the Republic of Angola, the Republic of Botswana, the DRC, the Kingdom of Lesotho, the Republic of Malawi, the Republic of Mauritius, the Republic of Mozambique, the Republic of Namibia, the Republic of Seychelles, the Republic of South Africa, the Kingdom of Swaziland, the United Republic of

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<sup>37</sup> [www.icj-cij.org](http://www.icj-cij.org)

Tanzania, the Republic of Zambia and the Republic of Zimbabwe are signatories to the mention protocol.<sup>38</sup>

The preamble states that SADC's decision to create the Organ on Politics, Defence and Security Co-operation which appears in the Gaborone Communiqué of 28th June 1996 is recognised; Article 9 of the Treaty which establishes the Organ is noted; it is born in mind that chapter viii of the UN Charter recognises the role of regional arrangements in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action; the principles of strict respect for sovereignty, sovereign equality, territorial integrity, political independence, good neighbourliness, interdependence, non-aggression and non-interference in internal affairs of other States are recognised and re-affirmed; the 1964 resolution of the assembly of heads of state and government of the OAU, declaring that all member states pledge to respect the borders existing on their achievement of national independence is recognised; the primary responsibility of the UN Security Council in the maintenance of international peace and security, and the role of the central organ of the OAU (AU) mechanism for conflict prevention, management and resolution are recognised and re-affirmed; SADC is convinced that peace, security and strong political relations are critical factors in creating a conducive environment for regional co-operation and integration; SADC is convinced further that the organ constitutes an appropriate institutional framework by

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<sup>38</sup> SADC Summit in Maseru, Lesotho. (1996, 24 August). SADC Communiqué.

which member states could co-ordinate policies and activities in the area of politics, defence and security; SADC is determined to achieve solidarity, peace and security in the region through close co-operation on matters of politics, defence and security; and SADC desires to ensure that close co-operation on matters of politics, defence and security shall at all times promote the peaceful settlement of disputes by negotiation, conciliation, mediation or arbitration.

The preamble of the Protocol on Politics, Defence and Security Co-operation makes a mistake of ignoring the fact that most conflicts in Africa stem from political problems within states. The political situation that exists in Zimbabwe (as explained in chapter 5) serves as an example. Respect for sovereignty and non-interference in Member State's internal problems mean that SADC is ignoring the reality that this is a major problem in one of its Member States.

## **Objectives**

According to Article 2 of the Protocol and Ali-Dinar<sup>39</sup> the objectives of the Organ shall be to promote peace and security in the Region; the specific objectives of the Organ shall be to protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state conflict, inter-state conflict and aggression; promote regional co-ordination and co-operation on matters related to security and defence, and establish appropriate mechanisms to this end; prevent, contain

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<sup>39</sup> Ali-Dinar, A.B. (2004, 18 January). "Southern Africa: SADC Update". University of Pennsylvania.

and resolve inter-and intra-state conflict by peaceful means; consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed; promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the Charters and Conventions of the OAU/AU and UN respectively; develop peacekeeping capacity of national defence forces and co-ordinate the participation of State Parties in international and regional peacekeeping operations, among others.

The objectives of the Protocol differ from the preamble because they recognise intra-state and inter-state conflicts as some of the causes of insecurity in Southern Africa. SADC recognises the fact that government in a Member State may misuse its power against a segment of the population and cause internal conflict, which is one of the SADC's strong points. This gives SADC the right to intervene in a Member State where there is conflict as covered within its objectives, to solve it peacefully or forcefully. Violations of human rights are covered as crime to humanity which, SADC would not tolerate, but this has taken place already in Zimbabwe without any significant SADC action (chapter 5).

## **Structures**

Article 3 states that the Organ shall be an institution of SADC and shall report to the Summit. The Organ shall have the Chairperson, the Troika, a Ministerial Committee, an ISPDC, an ISDSC and such other sub-structures as may be established by any of the ministerial committees.

## **Chairperson of the Organ**

Article 4 states that the Summit shall elect a Chairperson and a Deputy Chairperson of the Organ. The Chairperson of the Organ shall consult with the Troika of SADC and report to the Summit; in consultation with the Troika of SADC, the Chairman shall be responsible for the overall policy direction and the achievement of the objectives of the Organ; the Chairperson may request reports from any ministerial committee of the Organ on any matter which is within the competence of the committee; the Chairperson may request any ministerial committee of the Organ to consider any matter, which is within the competence of the committee; and the Chairperson may request the Chairperson of SADC to table for discussion any matter that requires consideration by the Summit.

Article 4 places the responsibility for ensuring that peace is maintained in Southern Africa, on the shoulders of the Chairman of the Organ. This article gives him powers to ensure that tension or violence among Member States is tabled for discussion and decision by the Summit so that action is taken where necessary.

## **Ministerial Committee**

Article 5 states that the Ministerial Committee shall comprise the ministers responsible for foreign affairs, defence, public security and state security from each of the State Parties; the Committee shall be responsible for the co-ordination of the work of the Organ and its structures; the Chairperson of the Committee shall convene at least one meeting on an annual basis; the

Chairperson of the Committee may, when necessary convene other meetings of the Ministerial Committee at a request of either ISPDC or ISDSC; and the Committee may refer any relevant matter to, and may request reports from, ISPDC and ISDSC.

### **Inter-State Politics and Diplomacy Committee**

Article 6 of the Protocol and US Department of State<sup>40</sup> state that ISPDC shall comprise the ministers responsible for foreign affairs from each of the State Parties; perform such functions as may be necessary to achieve the objectives of the Organ relating to politics and diplomacy; report to the Ministerial Committee without prejudice to its obligation to report regularly to the Chairperson; the Chairperson of ISPDC shall convene at least one meeting on an annual basis; he/she may convene such other meetings as he or she deems necessary or as requested by another Minister serving on ISPDC; and ISPDC may establish such sub-structures as it deems necessary to perform its functions.

ISPDC has to play a major role in identifying possible conflicts and taking early action to bring the parties in opposing side together. Diplomacy is useful in peaceful solution of conflicts. Where conflict has become violent, the ISDSC has a role to play in either deploying forces to keep peace that has been agreed upon, or to enforce it and prevent further bloodshed among or between States Parties or parties in conflict.

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<sup>40</sup> "Southern African Development Community". (2003, 16 July). US Department of State: Bureau of Political-Military Affairs.

## **Inter-State Defence and Security Committee**

According to Van Aardt Article 7 of the Treaty states that ISDSC shall comprise the ministers responsible for defence, ministers responsible for public security and ministers responsible for state security from each of the State Parties; perform such functions as may be necessary to achieve the objectives of the Organ relating to defence and security, and shall assume the objectives and functions of the existing ISDSC; report to the Ministerial Committee without prejudice to its obligation to report regularly to the Chairperson; the Chairperson of ISDSC shall convene at least one meeting on an annual basis; he/she may convene such other meetings as he or she deems necessary or as requested by another minister serving on ISDSC; ISDSC shall retain the Defence, State Security and Public Security Sub-Committees and other subordinate structures of the existing ISDSC; and it may establish such other structures as it deems necessary to perform its functions.<sup>41</sup>

## **Conflict Prevention, Management and Resolution (Article 11)**

The obligations of the Organ are to refrain from the threat or use of force against the territorial integrity or political independence of any state, other than for the legitimate purpose of individual or collective self-defence against an armed attack; manage and seek to resolve any dispute between two or more of them by peaceful means; seek to manage and resolve inter- and

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<sup>41</sup> van Aardt, M. (1997). The SADC Organ for Politics, Defence and Security: Challenges for Regional Community Building, South. *African Journal for International Affairs*, p. 144 and Inter-state Defence and Security Committee. (2001, 30 March) UN Integrated Regional Information Network.

intra-state conflict by peaceful means; and to ensure that the State Parties adhere to and enforce all sanctions and arms embargoes imposed on any party by the UN Security Council.

The Organ may seek to resolve any significant inter-state conflict between State Parties or between a State Party and non-State Party and a 'significant inter-state conflict' shall include a conflict over territorial boundaries or natural resources; a conflict in which an act of aggression or other form of military force has occurred or been threatened; and a conflict which threatens peace and security in the region or in the territory of a State Party which is not a party to the conflict.

The Organ may seek to resolve any significant intra-state conflict within the territory of a State Party and a 'significant intra-state conflict' shall include large-scale violence between sections of the population or between the state and sections of the population, including genocide, ethnic cleansing and gross violation of human rights; a military coup or other threat to the legitimate authority of a State; a condition of civil war or insurgency; and a conflict which threatens peace and security in the region or in the territory of another State Party.

In consultation with the UN Security Council and the Central Organ of the AU Mechanism for Conflict Prevention, Management and Resolution, the Organ may offer to mediate in a significant inter- or intra-state conflict that occurs outside the region.



The methods employed by the Organ to prevent, manage and resolve conflict by peaceful means shall include preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal; the Organ shall establish an EWS in order to facilitate timeous action to prevent the outbreak and escalation of conflict; where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Committee may recommend to the Summit that enforcement action be taken against one or more of the disputant parties; the Summit shall resort to enforcement action only as a matter of last resort and, in accordance with Article 53 of the UN Charter, only with the authorisation of the UN Security Council; and external military threats to the region shall be addressed through collective security arrangements to be agreed upon in a Mutual Defence Pact among the State Parties.

In respect of both inter- and intra-state conflict, the Organ shall seek to obtain the consent of the disputant parties to its peacemaking efforts; the Chairperson, in consultation with the other members of the Troika, may table any significant conflict for discussion in the Organ; any State Party may request the Chairperson to table any significant conflict for discussion in the Organ and in consultation with the other members of the Troika of the Organ, the Chairperson shall meet such request expeditiously; the Organ shall respond to a request by a State Party to mediate in a conflict within the territory of that State and the Organ shall endeavour by diplomatic means to obtain such request where it is not forthcoming; and the exercise of the right of individual or collective self-defence shall be immediately reported to the UN

Security Council and to the Central Organ of the AU Mechanism for Conflict Prevention, Management and Resolution.

Article 11 gives the ISDSC powers to intervene in any type of conflict within a State Party's territory that threatens to violate human rights or create a situation that threatens peace and security among State Parties or non State Parties. This means that SADC is prepared to intervene in Member States that have ratified or not ratified the Protocol in order to ensure peace in Southern Africa. SADC also ensured, through Article 11, that it remained open to the UN and AU in assisting it in order to ensure that it does not culminate in its efforts to ensure peace in Southern Africa. Peaceful means of solving disputes are the main instruments to SADC while use of force is the last resort.

According to Brigadier Masisi of Botswana Defence Force and Col Chileshe of Zambia Armed Forces<sup>42</sup> (who represent their countries in ISDSC), SADC does not yet have a stand-by force because there is a disagreement among member countries regarding whether this force should be centrally placed and maintained by SADC or be kept in and looked after by contributing countries. The rest of member countries want this force to remain part of each country's defence force and be looked after by the concerned country. On the other hand, Zimbabwe demanded that this force be placed in one of the member countries and be maintained by SADC. They also stated that a force of a brigade strength from member countries did combined exercises in

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<sup>42</sup> Interview with Brigadier Masisi and Colonel Chileshe, 16 June 2004.

South Africa, Zimbabwe and Zambia three times from 1998, but it is not a dedicated peacekeeping force as expected of the stand-by brigade.

### **Part C: African Union's continental early warning system**

#### **African stand-by force**

Article 13 states that in order to enable the Peace and Security Council to perform its responsibilities with respect to the deployment of peace support missions and intervention pursuant to article 4 (h) and (j) of the Constitutive Act, an ASF shall be established. Such Force shall be composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice; and for that purpose, the Member States shall take steps to establish standby contingents for participation in peace support missions decided on by the Peace and Security Council or intervention authorized by the Assembly. The strength and types of such contingents, their degree of readiness and general location shall be determined in accordance with established AU Peace Support SOPs and shall be subject to periodic reviews depending on prevailing crisis and conflict situations.

In terms of the mandate, Article 13 states that the ASF shall, *inter alia*, execute observation and monitoring missions; other types of peace support missions; intervention in a Member State in respect of grave circumstances or at the request of a Member State in order to restore peace and security, in accordance with Article 4(h) and (j) of the Constitutive Act; preventive deployment in order to prevent a dispute or a conflict from escalating, an ongoing violent conflict from spreading to neighbouring areas or States, and

the resurgence of violence after parties to a conflict have reached an agreement; peace-building, including post-conflict disarmament and demobilization; humanitarian assistance to alleviate the suffering of civilian population in conflict areas and support efforts to address major natural disasters; and any other functions as may be mandated by the Peace and Security Council or the Assembly.

Article 13 also states that in undertaking the above functions, the ASF shall, where appropriate, co-operate with the UN and its Agencies, other relevant international organisations and regional organisations, as well as with national authorities and NGOs. The detailed tasks of the ASF and its modus operandi for each authorized mission shall be considered and approved by the Peace and Security Council upon recommendation of the Commission.

Article 13 states that for each operation undertaken by the ASF, the Chairperson of the Commission shall appoint a Special Representative and a Force Commander, whose detailed roles and functions shall be spelt out in appropriate directives, in accordance with the Peace Support SOP; and the Special Representative shall, through appropriate channels, report to the Chairperson of the Commission. The Force Commander shall report to the Special Representative. Contingent Commanders shall report to the Force Commander, while the civilian components shall report to the Special Representative.

Article 13 states that there shall be established a MSC to advise and assist the Peace and Security Council in all questions relating to military and security requirements for the promotion and maintenance of peace and

security in Africa; the MSC shall be composed of Senior Military Officers of the Members of the Peace and Security Council. Any Member State not represented on the MSC may be invited by the Committee to participate in its deliberations when it is so required for the efficient discharge of the Committee's responsibilities; the MSC shall meet as often as required to deliberate on matters referred to it by the Peace and Security Council; the MSC may also meet at the level of the Chief of Defence Staff of the Members of the Peace and Security Council to discuss questions relating to the military and security requirements for the promotion and maintenance of peace and security in Africa. The Chiefs of Defence Staff shall submit to the Chairperson of the Commission recommendations on how to enhance Africa's peace support capacities; and the Chairperson of the Commission shall take all appropriate steps for the convening of and follow-up of the meetings of the Chiefs of Defence Staff of Members of the Peace and Security Council.

Regarding training the Commission shall provide guidelines for the training of the civilian and military personnel of national standby contingents at both operational and tactical levels. Training on International Humanitarian Law and International Human Rights Law, with particular emphasis on the rights of women and children, shall be an integral part of the training of such personnel to that end, the Commission shall expedite the development and circulation of appropriate SOP to support standardization of training doctrines, manuals and programmes for national and regional schools of excellence coordinate the ASF training courses, command and staff exercises, as well as field training exercises; the Commission shall, in collaboration with the UN, undertake periodic assessment of African peace support capacities; and the

Commission shall, in consultation with the UN Secretariat, assist in the coordination of external initiatives in support of the ASF capacity-building in training, logistics, equipment, communications and funding.

Additionally, Article 13 states that troop contributing countries shall immediately, upon request by the Commission, following an authorization by the Peace and Security Council or the Assembly, release the stand-by contingents with the necessary equipment for the operations envisaged under Article 9 (3) of the present Protocol; and Member States shall commit themselves to make available to the Union all forms of assistance and support required for the promotion and maintenance of peace, security and stability on the Continent, including rights of passage through their territories.

### **Early warning system**

The OAU was changed to the AU in the Durban Summit.<sup>43</sup> Continental Early Warning System is discussed in accordance with the decisions of the mentioned summit.

Article 12 of the AU Protocol states that in order to facilitate the anticipation and prevention of conflicts, a Continental Early Warning System to be known as the EWS shall be established. The EWS shall consist of an observation and monitoring centre, to be known as "The Situation Room", located at the Conflict Management Directorate of the AU, and responsible for

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<sup>43</sup> Assembly of the African Union, First Ordinary Session: Protocol Relating to the Establishment of the Peace and Security Council of the African Union. (2002, 9 July). [African Union Durban Summit](#).

data collection and analysis on the basis of an appropriate early warning indicators module; and observation and monitoring units of the Regional Mechanisms to be linked directly through appropriate means of communications to the Situation Room, and which shall collect and process data at their level and transmit the same to the Situation Room.

### **Management cycle of early warning**

According to Gurr and Scarrit<sup>44</sup> the availability of information from the various focal points alone does not constitute an EWS. The Conflict Management Division would need to receive data. The responsible officers should be able to visit any conflict zone and communicate in person with parties directly involved in the conflict to obtain first-hand information about the situation, such as the role of the various parties to the conflict, the nature of the tensions, recent developments and the potential consequences for peace and stability within Africa.

If the officers undertaking the analysis and evaluation of the information determine that there is a *prima facie* risk of potential conflict, they would issue an early warning, which would be communicated promptly to the Secretary-General. He/she, in turn, could decide in close consultation with the Central Organ to enter into further contact and closer consultation with the parties concerned to attempt to find a solution. The Secretary General would need to take such early warnings seriously to ensure that the EWS is optimally

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<sup>44</sup> Gurr, T.R. & Scarritt, J. (1989, 11 August). Minorities Rights at Risk: A Global Survey, Human Rights Quarterly, pp. 375 – 405 and Declaration of the Assembly of Heads of State and Government on the Establishment, Within the OAU of a Mechanism for Conflict Prevention, Management and Resolution, Cairo, Egypt, (1993, June). Organisation of African Unity. Provision 15.

utilised. Admittedly, early warnings could also yield negative consequences and worsen a situation.

Early warning is ultimately aimed to assist in addressing the 'root causes' of conflict and must allow for the development of proper understanding of situations, their development, conditions for resolution and guidance to better settlement. It entails ways of forestalling or alleviating the worst effects of conflict, including early intervention to transform or resolve conflicts. Focal points are a crucial and an integral part of any EWS. They represent the people on the ground, and are closer to the pulse of conflict. They will need to be trained to be aware of the importance of their work, as well as the nature of indicators constituting situations that warrant early warning. The Management Centre will have to provide the criteria for assessment, specific indicators, types and formats of information required. Once the Management Centre receives this information, it will be processed and analysed by the 'experts' to evaluate the extent to which the situation may involve warning signs.<sup>45</sup>

### **Methodologies of early warning**

Bakwesegha state that management of the EWS will have to be based on a number of methodologies, in addition to the active work carried out by the focal points.<sup>46</sup> Information and activities that could constitute the initial

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<sup>45</sup> Rupesinghe, K. & Kuroda, M. (eds.), (1992). Early Warning and Conflict Resolution. St Martin's Press: New York and Levitt, J. (2001). Conflict Prevention, Management, and Resolution: Africa - Regional Strategies For The Prevention of Displacement and Protection of Displaced Persons: The Cases of The OAU, ECOWAS, SADC, and IGAD. Duke Journal of Comparative and International Law.

<sup>46</sup> Bakwesegha, C.K., (1994, November). Conflict Situations in Africa in the context of the OAU Mechanism for Conflict Prevention, Management and Resolution. African Centre, London and Bakwesegha, C.K. (1995). The Role Of The Organisation Of African Unity In Conflict Prevention, International Law Journal On Refugee Law. pp. 207 and 216.



parameters for the OAU EWS are historical surveys and analysis of events; analysis of the content of documents and reports; comparative analysis of relevant information; physical inspections and field visits; statistical sampling and inferences; operations research techniques; economic and econometric analysis; and modelling and remote sensing.

As far as possible, the majority of the information should be stored in the database which has already been developed by the Management Centre. It contains, amongst others, four broad categories of information, which are a profile of all countries in crisis (red zone); a profile of all countries that have early warning signs of crisis (orange zone); a profile of all other remaining countries (green zone); and a profile of eminent persons who can be called upon to act as envoys, mediators, or eminent persons, on behalf of the Secretary-General of the OAU.

### **Time-span**

The time-span of the indicators of a pending crisis warranting early warning can be seen as long, medium and short-term. The determination of time-span is the responsibility of the 'experts' at the Conflict Management Centre. The precise length of these times will probably remain somewhat arbitrary, as each incident of conflict has its own particular characteristics. The time-span depends partially on the type of Early Warning signal that is evident. If it has to do with related causes of immediate problems, the time-span must be short-term. If it has to do with the development of more fundamental social trends, then the perspective will be long-term, extending over years and even

decades. The medium-term frame probably extends over months and includes readily discernible reasons for conflict.

SADC is not detailed in terms of how its early warning is to work and where it is positioned to give necessary information for prevention of conflicts. AU is detailed in terms of its early warning, time-span and stand-by force. SADC has to have an existing and functioning EWS so that it has up-to-date information for decisions to be taken timeously to solve tension before it becomes conflict. There were adequate warnings, which were not picked up or acted upon in Zimbabwe before conflict eventually erupted (as chapter 5 will indicate), that SADC was not able to read and understand to act timeously.

### **Conclusion**

SADC has the right and properly staffed structures to identify possible conflict areas within Southern Africa. There is a lot of duplication of tasks by SADC institutions and individuals such as the Executive Secretary, Heads of States, ISPSC and ISDSC in order to ensure that no threatening situation skips their eyes. Any potential conflict is not supposed to skip unnoticed. From the protocols, EWS seem not to be working well in SADC and that of the AU can help to organise SADC's.

SADC has all powers it needs, in terms of its protocols and articles, to solve all potential conflicts peacefully and coercively when necessary. SADC recognised that peace cannot exist in Southern Africa if internal causes within Member States are ignored. It ensured that all types of violence are included among actions that are to trigger its intervention in Member States. It is obvious that the success depends on the working EWS, proper monitoring of

EWS stations and use of information generated to take pre-emptive action while peace has got a chance before it is late. Lack of existing stand-by force is a problem when it comes to peace enforcement in the sub-region. Disagreements are supposed to be solved speedily so that the organisation does not fail itself in its main mission, which is to ensure peace in Southern Africa so that development can take place unhindered.

## CHAPTER 3

### CIRCUMSTANCES THAT LED TO THE CONFLICT SITUATION IN ZIMBABWE

#### Introduction

The previous chapter indicated what SADC stands for, its structures and means it has to deal with conflicts in Southern Africa. This chapter will indicate whether there was violent or non-violent conflict in Zimbabwe between 1980 and 2002, how the conflict started, who were affected by it, how they were affected and what actions were undertaken by SADC.

Over three quarters or 45 million acres of land in Zimbabwe were owned by 3 per cent of the population, the whites. About 4000 white-owned farms took up 70 per cent of the prime farming land, while the majority black population were left with areas of low fertility.<sup>47</sup> This gross inequality was a legacy of the colonial period when white settlers under Cecil Rhodes seized the country. Further dispossessions took place after the WWII when demobilised British officers were encouraged to settle in Rhodesia.<sup>48</sup>

Mugabe could not convince the rural masses that he was serious about land reform because he lived with this situation for 20 years since independence. Having fought an armed struggle against British-backed white minority governments of Rhodesia and South Africa since the 1960s, Mugabe came to power in 1980. When he realised that he was becoming unpopular

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<sup>47</sup> Tharoor, S. (2002). The Messy Afterlife of Colonialism. *Journal for Global Governance*. Volume 8. Issue 1. p. 1 and Mbiba, B. (2001). Communal Land Rights in Zimbabwe as State Sanction and Social Control: A Narrative. *Africa Journal*. Volume 71. Issue 3. p. 426.

<sup>48</sup> Talbot, C. (2000, 12 April). Tensions grow between Zimbabwe's ZANU-PF government and MDC. *International Committee of the Fourth International!* (<http://www.wsws.org>).

among the masses, he used the need for land and the 1999 new constitution to empower himself to repossess land from whites without compensation. He remained unpopular throughout the years because ordinary people gained nothing, except becoming poorer, out of independence. The economy became weaker and more people became unemployed and those living in poverty increased.

The existence of the MDC as a strong opposition party showed Mugabe that his hey days were over, especially when he lost the referendum in 2000. This made Mugabe and ZANU-PF to use the state apparatus to ensure that he remained at the top of the government at all costs.

### **Failure to implement pre-independence promises**

Land has been a source of political conflict in Zimbabwe since colonisation. Under British colonial rule and the white minority government that unilaterally declared its independence from Britain in 1965, white Rhodesians seized control of the vast majority of good agricultural land, leaving black peasants to scrape a living from marginal "tribal reserves". An end to white minority rule came after a protracted war of liberation in which land was a major issue.<sup>49</sup> Land was ultimately negotiated through talks brokered by the British government which led to a settlement known as the Lancaster House Agreement. This led to elections in 1980.

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<sup>49</sup> Land, Housing and Property Rights in Zimbabwe. (2001, 10 November). [Geneva Centre for Housing Rights and Evictions/COHRE](#). p.16.

President Mugabe, leader of the ZANU-PF which was the dominant liberation movement, won a resounding victory in the 1980 elections. The new government was bound by "sunset clauses" in the Lancaster House Agreement that gave special protection to the whites for the first 10 years of independence.<sup>50</sup> This agreement included provisions that the new government would not engage in any compulsory land acquisition and that when land was acquired, it would "pay adequate compensation and promptly". Land distribution would take place in terms of "willing buyer and willing seller." This provision was little used because Mugabe did not want to threaten the profitability of the white-owned tobacco farms that were one of Zimbabwe's main export earners.<sup>51</sup> From 1985 every land vendor was required to obtain a "certificate of no present interest" from the government in the acquisition of land concerned before going ahead with the sale.<sup>52</sup> In the first decade of independence, the government acquired 40 per cent of the targeted 8 million hectares, resettling more than 50 000 families on more than 3 million hectares. By the end of the second decade of independence, the pace of land reform had declined.

Budgetary allocations showed that land acquisition was not a government priority during the 1990s. By the end of what became known as "phase 1" of the land reform and resettlement programme in 1997, the government had resettled 71 000 families against a target of 162 000, on

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<sup>50</sup> Carter, G.M. & O'Meara, P. (ed). (1982). The Continuing Crisis. Indiana University Press: Bloomington. p. 46.

<sup>51</sup> Meredith, M. (2003). Our Votes, Our Guns: Robert Mugabe and the Tragedy of Zimbabwe. PublicAffairs Press: New York. p.111.

<sup>52</sup> COHRE, *Ibid.* p.16.

almost 3.5 million hectares of land.<sup>53</sup> Only 19 per cent of this land was classified as prime land, the rest was both marginal and unsuitable for grazing or cultivation. About 400 black elite farmers leased 400 000 hectares of state land and about 350 black people had bought their farms. There were positive and sustainable results from the resettlement process, though problems beset the resettled communities who lacked infrastructure and support networks. Population density in the communal areas increased. More than 1 million families still eked out an existence on 16 million hectares of poor land.<sup>54</sup>

In the first 2 decades of independence, Zimbabwe received financial assistance from various governments. Britain provided £44 million through a "land resettlement grant" and budgetary support. The land resettlement grant was mostly spent by 1988 and formally expired in 1996. Conditions were put on the way according to which the money donated could be spent. This contributed to the purchase of scattered, low-quality land for resettlement. In 1997 the new British Labour Party government proposed that its new policy directing development assistance to poverty alleviation guided its support for land reform. The Minister for International Development, Clare Short, wrote to the Zimbabwean government stating that "we do not accept that Britain has a special responsibility to meet the costs of land purchase in Zimbabwe".<sup>55</sup> The

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<sup>53</sup> Inception Phase Framework Plan: 1999 to 2000, An Implementation Plan of the Land Reform and Resettlement Programme - Phase 2. (1998). Technical Committee of the Inter-Ministerial Committee on Resettlement and Rural Development and the National Economic Consultative Forum Land Reform Task Force (Government of Zimbabwe). Paragraph 1.2.

<sup>54</sup> Chitiyo, T.K. (2000, May). Land Violence and Compensation: Reconceptualising Zimbabwe's Land and War Veterans' Debate, Track Two Occasional Paper, vol. 9, no. 1. Cape Town Centre for Conflict Resolution. p.16 and Meredith, M. (2003). Ibid, p. 121.

<sup>55</sup> McGreal, C. (1997, 22 December). "Blair's worse than the Tories, says Mugabe". Mail and Guardian.

donor community also raised various problems with the way in which the funds provided for land redistribution were disbursed. The Zimbabwe government accused the new British government of following the same racist policies as its predecessors.<sup>56</sup>

The Zimbabwe government passed a notice for compulsory acquisition of 1 471 farms or 3.9 million hectares in November 1997. An international donors' conference on land reform and resettlement was held in September 1998. This forum aimed to build a consensus among various stakeholders on land reform. A set of principles was adopted to govern "phase 2" of land resettlement in Zimbabwe, including respect for the legal process, transparency, poverty reduction, affordability and consistency with Zimbabwe's wider economic interests.<sup>57</sup>

Relations between donors and the Zimbabwe government broke down. The Zimbabwe government accused the donors of not actually putting up the funds that they had pledged and of protecting the neo-colonial interests of white-owned agribusiness. The donors accused the government of continued lack of transparency and failure to adhere to the principles agreed at the conference. New conditions related to governance were attached to funding for land reform. By the end of 1999 thirty-five farms totalling 70 000 hectares were purchased by the government in its phase 2 plan.<sup>58</sup>

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<sup>56</sup> Moyo, S. (2000, September). The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe's Land Reform. SAPES Trust, Harare. p. 7 and Meredith, M. (2003). *Ibid*, p123.

<sup>57</sup> Meredith, M. (2003). *Ibid*, p. 123.

<sup>58</sup> Technical Committee of the Inter-Ministerial Committee on Resettlement and Rural Development and the National Economic Consultative Forum Land Reform Task Force- Inception Phase Framework Plan:



Up to 1999 eleven million hectares of the richest land were still in the hands of about 4 500 commercial farmers. Some of the farms purchased for redistribution were given to government ministers and senior officials rather than to the landless peasantry. Most rural blacks continued to suffer immense poverty. In the face of government failure to deliver land, grassroots' land occupations were already taking place in the 1980s and 1990s. In many cases security forces removed people from the land with some brutality. This was particularly the case in the context of the conflict in the 1980s in Matebeleland between ZANU-PF and Zapu, the other main liberation movement, which drew its support base from among the Ndebele tribe. By late 1997 and 1998 much larger scale occupations were taking place.<sup>59</sup>

Conflict over land was related to the growing tension between the government and war veterans. In 1980 there were about 60 000 men and women who had been guerrilla members of the 2 liberation armies, ZANLA and ZIPRA. About 20 000 of them were integrated into ZDF. The remainder were demobilised and awarded a small pension, but given little other assistance to help them in starting a new life. The WVA was formed in April

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1999 to 2000, An Implementation Plan of the Land Reform and Resettlement Programme - Phase 2. (1998). Government of Zimbabwe and Land, Housing and Property Rights in Zimbabwe. COHRE. p. 20.

<sup>59</sup> CFU statement, (2001, 19 October). CFU -www.mweb.co.zw/cfu/, Breaking the Silence; Building True Peace: A Report on the Disturbances in Matebeleland and the Midlands 1980 to 1988. (1997, February). Catholic Commission for Justice and Peace, Legal Resources Foundation; Moyo, S. (2001). "The Land Occupations Movement and Democratisation: The Contradictions of the Neo-liberal Agenda in Zimbabwe." (unpublished paper), Carver, R. (2000, June). Zimbabwe: A Strategy of Tension. Writenet and Chitiyo, T.K. (2000, May). Land Violence and Compensation: Reconceptualising Zimbabwe's Land. Writenet. pp. 19-22.

1989, bringing together ex-combatants from both ZANLA and ZIPRA to lobby for increased government assistance.<sup>60</sup>

### **Economic and social crisis**

Exacerbating the problems in Zimbabwe was a growing economic crisis. The new government borrowed heavily from the World Bank during the 1980s. Servicing the debt rose to 37 per cent of export earnings in 1987. Loan conditions were placed, which led to food subsidies falling in 1986 to two-thirds of their 1981 level and a cut in education and health spending.<sup>61</sup>

The adoption of an ESAP in 1991 led to increases in interest rates and inflation. Land reform was not integrated into ESAP. Government earnings fell and the debt increased as a result of cutting taxes and giving tax breaks to business, as the IMF prescribed. The stock market fell and manufacture contracted by 40 per cent between 1992 and 1996. Many workers were laid off and Zimbabwe was in serious economic and political crisis in 1997. This spiralled food and fuel prices, inspired urban strikes, political protests and radicalised the trade union movement under the ZCTU. A militant strike wave in 1998 saw public sector workers at the forefront of a growing resistance against the government, including 2 successful national general strikes.<sup>62</sup>

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<sup>60</sup> Talbot, C. (2000, 12 April). Tensions grow between Zimbabwe's ZANU-PF government and MDC opposition. International Committee of the Fourth International (<http://www.wsws.org>).

<sup>61</sup> Kagoro, B., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. & Cornwell, R. (ed). (2003). Zimbabwe's turmoil: Problems and prospects. Institute of Security Studies. p. 8.

<sup>62</sup> Maroleng, C. (2004). Trade Union Strike-Situation Report. Institute of Security Studies. p.1.

From 1997 onwards loss of export earnings from agriculture and mining plunged the economy into a sharp decline.<sup>63</sup> In just over a year the value of the Zimbabwean dollar fell against the US\$1 from Z\$11 to just over Z\$38. Inflation increased from 19 per cent in 1997 to over 60 per cent while unemployment stood at 50 per cent in 1999. A fuel crisis was crippling industry and agriculture. In a situation where at least one-quarter of the population was infected with HIV/AIDS, the cost of medical care nearly doubled in 1999. A report by the Central Statistical Office of Zimbabwe issued in 1999 estimated that 76 per cent of Zimbabweans lived in poverty. In contrast to the suffering of the vast majority of Zimbabweans, Mugabe awarded massive pay rises of up to 300 per cent to MPs and cabinet ministers. Local headmen and tribal chiefs, on whom his regime relies, were given even larger awards of between 500 and 750 per cent.<sup>64</sup>

Despite the domestic financial problems, in June 1998 the government sent the first of what would eventually be 11 000 soldiers from the ZDF to the DRC to fight in support of the government of President Kabila. The war involved expenditure on troops and a huge logistical operation, costing an estimated US\$1 million per day.<sup>65</sup>

Forced to go to the IMF again in order to pay foreign creditors, the Zimbabwe government was faced with impossible terms. The IMF demanded that 14 000 public sector jobs had to go, that there should be further

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<sup>63</sup> Kagoro, B., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. & Cornwell, R. (ed). (2003). *Ibid.* p.10.

<sup>64</sup> Talbot, C. (2000, 12 April). *Ibid.*

<sup>65</sup> Bond, P. (2001). 'Radical Rhetoric and the working class during Zimbabwe nationalism's dying days'. In Raftopoulos, B. & Sachikonye, L. (eds). Striking Back: The Labour Movement and the Post Colonial State in Zimbabwe 1980-2000. Weaver Press: Harare and Meredith, M. (2003). *Ibid.* pp. 140-141.

reductions in health and education spending and that the army should pull out of the DRC war.<sup>66</sup> If President Mugabe cut off the lucrative earnings that the generals were making from their incursion into the DRC, he risked destroying his own political base and a coup d' etat.

The IMF suspended funding for Zimbabwe in November 1999. All the major banks soon followed suit, bringing the economy to the brink of collapse. The IMF stated that President Mugabe had failed to withdraw war veterans from illegally occupied farms and also failed to repay the earlier loans. Only US\$34 million of the US\$193 million credit facility from the IMF was extended to the country then. For the majority of the population this meant even greater levels of unemployment and poverty, and long queues for petrol and other basic commodities, boosting the MDC's call for change.<sup>67</sup>

The regime's corruption and nepotism acted as an impediment to the interests of international investors and brought it into increasing conflict with the IMF and western governments. It continually interfered with the activities of international corporations bidding for contracts in Zimbabwe.<sup>68</sup> In 1998 the government usurped the powers of its tender board regarding a huge digital telecomm project for Matebeleland.<sup>69</sup> Minister of State at the British Foreign Office, Peter Haine, demanded a commitment to "sound economic policies of modernisation of bloated and inefficient state-owned enterprises".

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<sup>66</sup> Kagoro, B., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. & Cornwell, R. (ed). (2003). Ibid. p. 21.

<sup>67</sup> Meredith, M. (2003). Ibid, p.129.

<sup>68</sup> Thomas, T. (2002). Explaining Mugabe: Much Learning but Not Much Sense. Contemporary Review Journal. Volume 280. Issue 1637. p. 349.

<sup>69</sup> "Zimbabwe government is usurping the powers of its tender board regarding a huge digital telecomm project for Matebeleland". (1998). Mail and Guardian.

In 1991 the government opened negotiations with the WVA and several laws were passed in their favour, including a War Victims Compensation Act of 1993. The administration of the compensation, however, was corrupt and inefficient. A number of senior Zanu officials were later found to be claiming large payouts, while those in real need remained neglected. Dr Chenjerai “Hitler” Hunzvi is among doctors who helped a number of senior ZANU-PF officials to make false injuries for higher than expected compensation. In August 1997 the Chidyausiku Commission of Inquiry was appointed to investigate abuses in the payment system. At the ZANU-PF summit in September 1997, Mugabe announced a package for veterans that included a once-off payment of Z\$50 000 to each veteran, and a Z\$2 000 per month pension for life.<sup>70</sup> It was not clear how the state would pay for this commitment. The pledge gave some war veterans an interest in the continued rule of the ZANU-PF.

### **Movement for Democratic Change**

The NCA was formed in 1997 to review the Zimbabwean constitution. It was a coalition of opposition parties, churches, NGOs and the ZCTU.<sup>71</sup> It represented those sections of the ruling elite who feared that ZANU-PF was endangering their business interests. Its political agenda was directly shaped by the demands of the World Bank, the IMF and the western powers.

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<sup>70</sup> Chitiyo, T.K. (2000, May). Land Violence and Compensation: Reconceptualising Zimbabwe's Land. *Writenet*. PP 19-22 and Meredith, M. (2003). *Ibid.* pp. 133-137.

<sup>71</sup> Kagoro, B., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. & Cornwell, R. (ed). (2003). *Ibid.* p. 12.

The MDC was formed late in 1999 to oppose ZANU-PF in the 2000 parliamentary elections. It is headed by Morgan Tsvangirai, ZCTU Secretary General, and Gibson Sibanda, ZCTU's National Secretary. Both men were leaders of the NCA and resigned to head the new party. Tsvangirai made it clear that his organisation supported the "free market" and the IMF's ESAP. His complaint was about the way the programme was administered by Mugabe. He said that some form of structural adjustment was needed.<sup>72</sup>

The MDC's 'Stabilisation and Recovery Programme' promised to reduce non-essential government expenditure. It also promised to restructure the government and implement 'fast-track' privatisation of all parastatals bodies and to contract many government functions to the private sector.<sup>73</sup> It also agitated for the liberalisation of the economy to international investors.

The MDC's land policy was based preservation of white ownership of the best farming areas, the breaking up of communal land and the encouragement the spread of private ownership. Its version for land redistribution was to take over 6-7 million hectares of land for resettlement through the acquisition of under-utilised, derelict and multiple owned land, land already identified and designated for the purpose and corruptly acquired land. To do this it pledged to relocate and resettle 200 000 households in communal areas.<sup>74</sup> It planned to introduce freehold title in communal and resettlement areas. This policy would benefit few better-off blacks, while

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<sup>72</sup> Kagoro, B., Makumbe, J., Robertson, J., Bond, P., Lahiff, E. & Cornwell, R. (ed). (2003). p. 36.

<sup>73</sup> 'White support is proving crucial to the opposition'. (2000, 11<sup>th</sup> April). The Guardian.

<sup>74</sup> 'Agriculture, Land and Water Policy Statement', (2000, June). [www.mdczimbabwe.com](http://www.mdczimbabwe.com).

herding off thousands of the rural poor into undeveloped and sub-standard state farms. At the time, the government's policy was to acquire 5 million hectares of land from the commercial farming sector for redistribution.

The MDC leaders boasted of their long record of effective administration and organisation. This was to be utilised in order to curb any expressions of political independence or social opposition amongst working people. The MDC promised to halt the passive labour market approach and actively pursue employment-intensive growth, and an employment policy co-ordinated by a Tripartite Labour Market Commission consisting of the government, employers and unions.<sup>75</sup>

The MDC's land reform programme won it Britain's political backing.<sup>76</sup> Mugabe accused America's International Republican Institute for sponsoring the MDC. He also threatened to "go to war" with Britain in response to "clear attempts" by London to destabilise his regime.

### **Referendum defeat for President Mugabe**

In an attempt to co-opt the demand for constitutional reform, in May 1999 President Mugabe constituted a commission to rewrite the constitution. The main provision of the draft constitution was to strengthen Mugabe's grip on the presidency. Under the earlier constitution he should have stepped down in 2002. The proposed change would have limited future presidents to 2 terms, but as it was not retroactive, Mugabe could have stood for another 2 terms.

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<sup>75</sup> [www.mdczimbabwe.com](http://www.mdczimbabwe.com). Ibid.

<sup>76</sup> Talbot, C. (2001, 14 Sep). "Zimbabwe's Land Agreements Reflects West's Concern over Instability in Africa". International Committee of the Fourth International (<http://www.wsws.org>).

The draft constitution made his government officials immune from prosecution for any illegal acts committed while in office.<sup>77</sup> President Mugabe added a clause empowering the government to seize land held by white farmers. This was a ploy to win the support of the rural masses. The voters did not believe him, however. Since independence, land redistribution promised during the war never materialised.

There was factionalism within the ZANU-PF because the hand-picked commissioners proposed that there should be a "ceremonial president", with power passing to an elected prime minister. A secret meeting held between the presiding judge and ZANU-PF officials deleted the offending clause and inserted the one retaining President Mugabe's executive powers. The "doctored report" presented to a full meeting of the Commission was pushed through without a vote, leading to protests and threats of resignation by some Commissioners.<sup>78</sup> After the production of the draft, the Commission was legally required to disband.

The draft constitution was adopted in November 1999 against protests of a substantial number of Constitutional Commissioners and submitted to a national referendum in February 2000.<sup>79</sup> Mugabe kept the Commissioners on and transformed them into campaign teams for a 'Yes' vote in the referendum. Angry crowds attended public meetings organised by the Commission, jeering and booing the speakers. Some meetings ended in chaos.

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<sup>77</sup> Talbot, C. (2000, 12 April). Ibid.

<sup>78</sup> "Contenders eye Mugabe's throne." (2000). Zimbabwe Independent.

<sup>79</sup> Meredith, M. (2003). Ibid, pp. 162-164.



During the referendum campaign, President Mugabe utilised the Colonial Law & Order Maintenance Act, enacted under Ian Smith's repressive white Rhodesian State. ZANU-PF's propaganda declared that the new constitution was a final break with colonialism.<sup>80</sup> It was used to break up demonstrations, violently intimidate opposition meetings and arrest journalists and opposition activists without charge. The MDC campaigned for a 'no' vote. The government was defeated in the February 2000 referendum by 53 per cent of the 1.3 million votes cast. The 'No' voters were declared as "sell-out Zimbabweans" who wanted to retain a colonial-style constitution.<sup>81</sup> This was the first defeat for Mugabe since independence.

### **Parliamentary elections in June 2000**

Capitalising on the fact that land reform remained a powerful issue for any political party to invoke, ZANU-PF campaigned for the June 2000 parliamentary elections on the slogan "Land is the Economy, the Economy is Land".<sup>82</sup> Parliamentary elections were held in June 2000 amid widespread voter intimidation, violence, vote-rigging and other irregularities committed by the government and ZANU-PF supporters, backed by security forces. Although the elections day generally was peaceful, the process leading up to it was neither free nor fair.<sup>83</sup> In April 2000 the government invoked the law to

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<sup>80</sup> Coen, B. (2000, 15<sup>th</sup> February). President loses battle over Zimbabwe Constitution. The Associated Press.

<sup>81</sup> Cheater, A. (2001, January). 'Human Rights and Zimbabwe's June 2000 Election'. Zimbabwe Human Rights NGO Forum Human Rights Research Unit, pp 8-13 and Kline, M.A. (2000, June). Zimbabwe Turns against Mugabe's Ruinous Rule. Insight on the News. Volume 16. Issue 22. p.16.

<sup>82</sup> Cheater, A. (2001). *Ibid*, p.15.

<sup>83</sup> Hamill, J. (2002, July). South Africa and Zimbabwe. Contemporary Review. Volume 281. Issue 1638. p. 34.

bar the transportation of political supporters across constituencies. Police also used the law to restrict public gatherings. In many districts, the campaign backfired, resulting in additional votes for the opposition. Some voters stayed away from the polls out of fear of retribution. There were reports that farm workers of non-Zimbabwean heritage were threatened with deportation if they voted against the ruling party.<sup>84</sup>

Fast track land reform programme opened the way for the war veterans under Chenjerai “Hitler” Hunzvi to terrorise the MDC supporters, who included white farmers and their workers.<sup>85</sup> As the main war veterans leader, Chenjerai Hitler Hunzvi, confirmed a few weeks before the parliamentary election, “Like in any revolution, the path is always bloody, and that is to be expected, and hence no one should raise eyebrows over the deaths of four white farmers....God told us to grab the farms from them and we shall get something to eat.” As for Mugabe’s perspective on the farm occupations, “This is a clear peaceful demonstration and there is no problem with that.”

There were institutional problems with the management and supervision of elections, and the overlapping mandates of the ESC, the Ministry of Justice, Legal & Parliamentary Affairs, and the Registrar-General's. Although the Ministry of Justice technically administered the Electoral Act, the Registrar General's Office fell under the Ministry of Home

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<sup>84</sup> ‘The Zimbabwe situation: Country Reports on Human Rights Practices-2000’. (2001, 23 February). Bureau of Democracy, Human Rights, and Labour.

<sup>85</sup> Bond, P. (2001). Radical rhetoric and the working class during Zimbabwean nationalism’s dying days. Journal of World-System Research. Volume II. No 1. pp. 52-85.

Affairs.<sup>86</sup> With an insufficient budget and an overburdened staff seconded from the Ministry of Justice, the ESC lacked the institutional capacity to oversee all of the country's polling stations. Commissioners also lacked authority to order the correction of irregularities. The voters' roll contained a large number of redundancies and errors, including misspellings, multiple entries and names of deceased persons.

Many votes cast for the ruling party were recorded as having been cast by deceased persons. The government legalized immense powers in the President through the Electoral Act, which institutionalised gerrymandering and fraudulent voters' rolls.<sup>87</sup> The government invoked the act shortly before the June 2000 elections to redraw constituent boundaries in its favour and raise bureaucratic barriers to voter registration. Fifteen per cent of voters were prevented from voting on the election day on technical grounds or due to incomplete or inaccurate voters' rolls. Electoral officers did not operate in an open and transparent manner.

The MDC came close to winning more seats than ZANU-PF, gaining 57 seats to the ruling party's 62 plus 30 MPs appointed by the executive, on a 50 per cent turnout.<sup>88</sup> In July 2000 the MDC filed a petition with the High Court to challenge the electoral results in 37 parliamentary constituencies, stating that there was sufficient evidence of intimidation, vote rigging and other

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<sup>86</sup> Laidlaw, C. (2000). ZIMBABWE: Forward or Reverse? New Zealand Review. Volume 25. Issue 5.

<sup>87</sup> Hamill, J. (2000, September). 'The Last Kicks from a Dying Horse?' Mugabe and Zimbabwe. Contemporary Review. Volume 277. Issue 1616. p.129.

<sup>88</sup> Venter, D. (2000, 10 June). 'Zimbabwe before and after the June 2000 Elections: an assessment'. Electoral Institute of Southern Africa.

irregularities to warrant the overturning of the results in certain constituencies. In October 2000 the High Court scheduled consideration of the petition for January 2001. On 8 December 2000 President Mugabe amended the Electoral Act to prohibit the nullification of the election of any MP. On 14 and 15 September 2000 police raided the MDC headquarters, detained some MDC officials and removed documents. On 16 September 2000 the High Court ruled that the search of the offices and seizure of documents were illegal, and the police returned the seized documents. In addition to the raid on MDC headquarters, police frequently harassed individual MDC members after the June 2000 elections.<sup>89</sup>

### **The 2002 presidential elections**

The 2002 presidential elections were the most highly contested and the most violent, since Zimbabwe's independence elections of 1980.<sup>90</sup> These elections also had the longest campaign period, beginning soon after the June 2000. They attracted regional and international attention, and were characterised by structured and organised political violence and intimidation.

The government fast-tracked harsh legislation through the parliament in an unconstitutional and unorthodox manner.<sup>91</sup> The purpose of the legislation was to subvert any democratic processes within Zimbabwe and to curtail the

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<sup>89</sup> Meredith, M. (2003). *Ibid.*, pp. 225-232.

<sup>90</sup> Costarelli, E. (2002). 'Zimbabwe presidential elections'. [Election Institute of Southern Africa](#).

<sup>91</sup> Mottiar, S. (2002, 25 February). 'Effects of the New Zimbabwean Legislation on the Prospects for a Free and Fair Election'. [Electoral Institute of Southern Africa](#) and Chipfunde, R. (2002). 'Zimbabwe: The 2002 Presidential Election - a determination of Zimbabwe's Electorate?' [Zimbabwe Election Support Network](#).

free operation, not only of opposition parties, but also of civil society during the elections. This legislation included the BSA, the GLAA, the POSA, the AIPPA, amendments to the CZA and the Electoral Act. The Supreme Court struck off the GLAA on the grounds that it was unconstitutionally passed by parliament, throwing the whole electoral framework into disarray.

POSA put in place regulations limiting the accompanying of ballot boxes to counting centres by electoral officials, monitors, party agents and independent domestic observers. This compromised transparency of the electoral process.<sup>92</sup> It curtailed all civil and political rights, and frustrated attempts by opposition parties to campaign freely. Whilst President Mugabe held about 50 rallies countrywide, Morgan Tsvangirai managed less than 10 rallies. The act also curtailed free movement, not only of members of the public, but also of NGO civic educators. The powers of the police to ban meetings were used to frustrate NGO voter education programmes. The GLAA restricted voter education to the ESC and political parties, denying the electorate the opportunity to receive independent education. It also restricted election monitoring to civil servants, while SADC norms and standards recommend the appointment of independent monitors from civil society. As a result the GLAA reduced NGO election monitors to the status of election observers who had to be invited to act as such by the Minister of Justice, Legal and Parliamentary Affairs. Out of 12 500 ZESN members and affiliates who had prior monitoring experience under the auspices of the ESC, only 420

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<sup>92</sup> Mottiar, S. (2002, 25 February). Ibid.

people were invited to be observers. This compromised the monitoring and observation effort.

When civil society, including the MDC, turned to the courts to challenge some of the legislation as being ultra vires the Constitution of Zimbabwe, statutory instruments under the Electoral Act were used to reinstate the provisions of some of the legislation.<sup>93</sup> Thus the legislation, combined with the already flawed constitutional framework resulted in an environment that made it impossible to have free and fair elections.

There was unequal access to the state-controlled media, which favoured the ruling ZANU-PF and failed to give sufficient or impartial coverage to the opposition.<sup>94</sup> The MMPZ noted that 94 per cent of election coverage on Zimbabwe Broadcasting Corporation was favourable to the ruling ZANU-PF whilst the 6 per cent for the MDC was derogatory and biased.

The Registrar-General of Elections, the Electoral Supervisory Commission and the Election Directorate ran the elections. Their lack of co-ordination led to failure by the office of the Registrar-General to adhere to a court ruling to the effect that local council elections in Harare and Chitungwiza should have been held before the presidential elections.<sup>95</sup> The tripartite and dual elections in Harare and Chitungwiza confused the electorate, which faced the simultaneous holding of council, mayoral and presidential elections.

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<sup>93</sup> Chipfunde, R. (2002). Ibid.

<sup>94</sup> Jukes, S. (2002). Real-Time Responsibility: Journalism's Challenges in an Instantaneous Age. *Harvard International Review*. Volume 24. Issue 2. p. 14 and Costarelli, E. (2002, 18 February). 'The Captive Media in Zimbabwe.' *Electoral Institute of Southern Africa*.

<sup>95</sup> Chipfunde, R. (2002). Ibid.

There was failure by the electoral bodies to provide correct, sufficient and timely voter education. The extension of polling by one day in Harare and Chitungwiza, which the High Court granted following an application by the MDC, was ineffective as polling only began at 11am and closed at 7pm while many people were still in the queues. The refusal to publish the voters' roll or otherwise make it available to the electorate reduced the transparency of the election process. There was a general lack of information on the whole electoral process made available to the electorate regarding the locations of polling stations and how to vote in dual and tripartite elections for Chitungwiza and Harare respectively. The restrictive voter registration process and inadequate voter education disenfranchised voters. Postal voting facilities were only made available to members of the armed forces, diplomatic staff and electoral officials only. Independent observers did not monitor postal voting. There was secret registration of voters beyond the 27 January 2002 deadline and the subsequent retrospective extension of the deadline to 3 March 2002. The Registrar-General's office worked on a supplementary roll up to the polling period. There was lack of transparency in the compilation and correction of the voters' roll by the Registrar-General's office.<sup>96</sup> Extra ballot papers were printed. Political parties, NGOs or independent observers did not monitor the production of ballot papers and other voting materials. Observers and journalists had restricted entry to counting centres.

Polling stations were reduced in the urban areas which were perceived to be strongholds of the MDC. The final number and locations of polling

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<sup>96</sup> Chipfunde, R. (2002). Ibid.

stations were not published until 2 days before the elections. The late announcement of major increases in the numbers of rural polling stations and decreases in urban polling stations jeopardised the deployment plans of observer groups and some political party agents. Invitation of domestic and international observers was selective. Local observers were denied access to polling stations as a result of being unaccredited. Most local observers were harassed with beatings, torture, arrest and detention, and confiscation of their monitoring tools and identity cards. International observers were attacked and beaten. The South African observer mission was attacked in Chinhoyi.<sup>97</sup> A significant number of polling agents for the opposition, in particular the MDC's, were attacked whilst on their way to their polling stations and, thus were not present during voting, leading to fears of massive rigging. Some MDC polling agents were beaten, detained and killed during the elections.

### **Fast-track land reform**

The government implemented the provisions of the rejected draft constitution relating to land acquisition through parliament, adding a new section 16A to the existing constitution. The amendment, which became law in April 2000, significantly extended the grounds on which land could be compulsorily acquired and absolved the government from providing compensation, except for improvements. The Land Acquisition Act was further amended in May and November 2000, using the power given to the president to enact 6 months temporary legislation under the Presidential Powers Act of 1986. The stated aim was to "clarify and streamline various procedural aspects of the

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<sup>97</sup> Mason, C. (2002). Issues in Australian Foreign Policy: January to June 2002. The Australian Journal of Politics and History. Volume: 48. Issue: 4. p. 528.



acquisition process and to prescribe new compensation rules in accordance with the Constitution".<sup>98</sup>

The Zimbabwe government formally announced the "fast track" resettlement programme in July 2000, stating that it would acquire more than 3000 farms for redistribution. Between June 2000 and February 2001 a national total of 2 706 farms, covering more than 6 million hectares, were gazetted for compulsory acquisition.<sup>99</sup> More than 1 600 commercial farms were occupied by settlers led by the war veterans in the course of 2000.<sup>100</sup> Some were occupied only for a short period. Not all of those occupations were accompanied by violence.

In April 2001 the objectives of the land reform and resettlement programme were to acquire not less than 8.3 million hectares of land from the large-scale commercial farming sector for redistribution. In October 2001 the government announced that it intended to list 4 558 farms covering 8.8 million hectares of land, for acquisition. In the same month the CFU estimated that 1 948 farms were physically occupied. By the end of 2001 about 250 farmers out of the CFU's total membership of 3 500 had left their farms. The Ministry of Land, Agriculture and Rural Resettlement recorded that 114 830

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<sup>98</sup> Takirambudde, P. (2001, 22 November). Zimbabwe: Crackdown on Opposition Condemned. Human Rights Watch.

<sup>99</sup> Ministry of Lands, Agriculture and Rural Resettlement, Land Reform and Resettlement Programme: Revised Phase II. (2001, April). Government of Zimbabwe. Paragraph 2.4.

<sup>100</sup> Moyo, S. (2000, September). The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe's Land Reform. SAPES Trust, Harare. pp. 31-32 and Land, Housing and Property Rights in Zimbabwe. COHRE. p. 27.

households physically moved and resettled on 4.37 million hectares. By January 2002, up to 6 481 farms were listed for acquisition.<sup>101</sup>

The Ministry of Local Government, Public Works and National Housing played a critical role in land identification and its acquisition. The Provincial Land Identification Committees co-ordinated the implementation while the Technical Committees short-listed and evaluated applications. This structure was duplicated at district level where the district administrator chaired committees. RDCs, traditional leaders and the WVA were all members of these committees.<sup>102</sup> ZANU-PF Party chairmen were also represented from local to national level. Farm owners could appeal to the Provincial Land Identification Committees if they believed that official criteria were not being followed and negotiate modifications to the acquisition process.

There were 2 models for resettlement under the fast track programme. Model A1 was the decongestion model for the generality of landless people with a villagised and a self-contained variant to benefit 160 000 beneficiaries from among the poor. Model A2 aimed at creating a cadre of 51 000 small to medium-scale black indigenous commercial farmers.<sup>103</sup> Twenty per cent of all resettlement plots under the model A1 pattern were officially reserved for war veterans, repeating a commitment made by the government since the early 1990s. In order to request land from the fast track programme, applicants had to fill in an application form. This form was available either from the official

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<sup>101</sup> Background briefing to the SADC Heads of State Summit. (2002, January). Zimbabwe Commercial Farmers Union and Zimbabwe Land Reform and Resettlement: Assessment and Suggested Framework for the Future-Interim Mission Report. (2002, January). UNDP. p.12.

<sup>102</sup> Land Reform and Resettlement Programme: Revised Phase II. (1998). Government of Zimbabwe. Paragraph 3.3.6.

<sup>103</sup> "Would be farmers yet to see new plots." (2002, 17 January). Financial Gazette, Harare.

structures-a district administrator, RDC councillor, or civil servant-or, in practice, from the commander of the war veterans' militia leading the occupation of the affected farms.<sup>104</sup>

The new legislation was brought in to supplement the original laws providing for the fast track programme and to legalise processes that were illegal at the time they were begun.<sup>105</sup> The Rural Land Occupiers Act of June 2001 protected those who occupied land up to February 2001 without following the proper procedures, from eviction for a period of 12 months. It also suspended the application of court orders for eviction purposes. The new provisions meant that ownership of designated land was transferred immediately, irrespective of any court challenge, to the acquiring authority. It also served as a 90 days eviction notice for the previous owner.

The CFU challenged the new laws and policies in the courts. In December 2000 the CFU was successful in obtaining an interdict from the Zimbabwe Supreme Court barring further land acquisitions on the grounds that the fast-track programme was unconstitutional. The government criticised the courts for blocking land reforms and failed to abide by court orders. In November 2001 the same court overturned the interdict on the grounds that the government then had a lawful programme for land reform. Between the two judgments, several judges on the court, including the chief justice, were

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<sup>104</sup> Moyo, S. (2000, September). The Interaction of Market and Compulsory Land Acquisition Processes with Social Action in Zimbabwe's Land Reform. SAPES Trust, Harare. p.24 and Interim Mission Report. (2002, January). UNDP. p.18.

<sup>105</sup> Minister of Lands, Agriculture and Rural Resettlement and Others vs. Commercial Farmers' Union Judgment No. SC111/2001. (2001). Government of Zimbabwe.

forced to retire and replaced with individuals perceived to be loyal to the ZANU-PF.<sup>106</sup>

The CFU took a decision to negotiate with the government on the land reform process by offering land for resettlement. Historically, commercial farmers had never taken active steps to move the redistribution process forward. Commercial farmers did not do enough earlier to avert the land crisis.<sup>107</sup> In November 2001 the CFU formally announced the launch of the Zimbabwe Joint Resettlement Initiative, based on a proposal submitted to the government in May 2001. Under the initiative the CFU offered 562 farms to the government, representing 1 million hectares of land distributed across the country with assistance for newly resettled farmers. Fast-track land occupations did not, however, cease.<sup>108</sup>

### Human rights' violations

At least 72 MDC supporters died in pre-election political violence and 8 in post election violence, up to the end of 2000. Political violence continued in 2001, including in connection with the land reform programme, and at least 48 people died in political violence during that year.<sup>109</sup> Harassment of opposition activists and intimidation of farm workers escalated at the end of 2001 into

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<sup>106</sup> Report of Zimbabwe Mission. (2001, April). International Bar Association.

<sup>107</sup> Interview with Jerry Grant of Commercial Farmers Union, (2001, 18 July). Human Rights Watch.

<sup>108</sup> Hughes, P.W. (2001, 2 November). GoZ/ZJRI implementation launch, Retreat Farm, Bindura, Mashonaland Central. Commercial Farmers Union and Mugabe says he will ban ZCTU, expel whites." (2002, 21 February). Financial Gazette.

<sup>109</sup> Terror Tactics in the Run-up to Parliamentary Elections. (2001, June). Amnesty International Zimbabwe; Report of the E.U. Election Observation Mission on the Parliamentary Elections in Zimbabwe 24-25 June 2000. (2000, July) European Union and Meredith, M. (2003). *Ibid.* pp. 194-195.

early 2002, though there was some transfer of geographical focus from commercial farming areas to communal land and towns.<sup>110</sup> The CFU reported that at least 829 "violent or hostile" incidents took place on commercial farms up to the end of September 2001. This violence was the worst in Mashonaland Central.<sup>111</sup>

Between 1 January and 14 April 2002, 54 deaths occurred from politically motivated violence. Other acts of violence included 945 cases of torture, 214 kidnappings, 229 cases of intimidation, 143 cases of unlawful detention, 29 disappearances, 99 cases of unlawful arrests, 5 cases of rape, 48 school closures and about 1000 confiscations of identity documents-all against the MDC. The camps and bases where militia youths supporting the ruling party were based were established. On voting days these camps were sited the near polling stations. This resulted in intimidation of the voters before they voted and also led to the detention of observers in torture camps<sup>112</sup>.

The war veterans and ZANU-PF militia occupying commercial farms intimidated, assaulted and in some cases killed white farm owners. Seven farmers were killed in political violence since the beginning of 2000. Many of the farmers targeted were prominent supporters of the MDC. Police and army troops occupied the farm of MDC MP for Chimanimani, Roy Bennett. Farm

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<sup>110</sup> Politically Motivated Violence in Zimbabwe, 2000-2001. (2001, July). Zimbabwe Human Rights NGO Forum. p.4 ; Political Violence Report January 2002. (2002, February). Zimbabwe Human Rights NGO Forum ; Complying with the Abuja Agreement. (2001, October). Zimbabwe Human Rights NGO Forum; CFU Presentation to SADC Task Force (2001, 10 December). Commercial Farmers Union and Interim Mission Report. (2002, January). UNDP. p.31.

<sup>111</sup> <http://www.hrw.org/reports/2002/zimbabwe/>.

<sup>112</sup> Chipfunde, R. (2002). Zimbabwe: The 2002 Presidential Election - a determination of Zimbabwe's Electorate? Zimbabwe Election Support Network (<http://www.zesn.org.zw>) and Zimbabwe: Political violence continues. (2002). Integrated Regional Information Networks.

owners were assaulted, threatened and their farms occupied whether they were listed for acquisition, or not. President Mugabe repeatedly singled out white Zimbabweans as enemies of the state.<sup>113</sup>

The first 2 farmers were killed in April 2000. David Stevens was shot dead by settlers who occupied his farm at Macheke, south of Harare.<sup>114</sup> A few days later more than 100 ZANU-PF militia, led by the war veterans, invaded the farm of Martin Olds in Nyamandlovu near Bulawayo. Police arrived at the house while the gunfight was ongoing, but did not intervene. When the house was set alight, Olds was forced outside and was shot twice in the head. In March 2001, Olds' mother was shot dead on the same farm, which she had refused to leave. Another farm owner killed was Robert Fenwick from Kwekwe in the Midlands, in August 2001. No arrests were made in connection with any murder.

Human Rights Watch reported that in some cases, white farmers assaulted those occupying their land. In one prominent case in July 2001, farmer Philip Bezuidenhout of Odzi near Mutare allegedly deliberately ran over and killed Fabian Mapenzauswa, a settler on his farm.<sup>115</sup> Bezuidenhout was arrested and charged with murder. In other cases, farm workers themselves organised to drive away the settlers and injuries occurred in the context of those clashes.

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<sup>113</sup> Human Rights and Zimbabwe's June 2000 Election (2001, January). [Zimbabwe Human Rights NGO Forum](#) and Political Violence Report December 2001. (2002, January). [Zimbabwe Human Rights NGO Forum](#).

<sup>114</sup> Death at dawn: the agony of Zimbabwe. (2000, 19 April). [Guardian: London](#); Hounded out of Africa. (2000, 18 December). [Times: London](#); Meldrum, A. (2001, 5<sup>th</sup> May). Mother killed on same Zimbabwe farm as her son. [Guardian: London](#) and Meredith, M. (2003). *Ibid*, pp. 167-189.

<sup>115</sup> Blacks take over white farm after murder in Zimbabwe. (2001, 17 July). [AFP](#).

The National Employment Council for the Agricultural Industry (a tripartite body of government, employers and unions) published a report in June 2000, noting that as a result of farm occupations, at least 3 000 farm workers were displaced from their homes, 26 killed, 1 600 assaulted and 11 raped. 47.2 per cent were supporters of the MDC, 43.6 per cent had no political affiliation and 9.2 per cent were ZANU-PF supporters.<sup>116</sup> Farm workers continued to be the victims of violence during farm occupations.

As in the case of violence against white farm owners, violence against farm workers was linked to the support given to the MDC by commercial farmers and by their workers too.<sup>117</sup> In many areas farm workers were targeted for violence both so that the assailants could take over their homes and in order to deprive the white farm owner of numerous potential allies who had a stake in keeping their. Weaknesses in the organisational representation of farm workers also made them vulnerable to assault and intimidation.

There were also cases in which farm workers, communal area residents, or MDC supporters attacked and beat those occupying the farms. Such incidents often resulted in reprisals in some cases, reportedly including police.<sup>118</sup> Monitoring of reported cases by human rights groups indicated that the majority of victims continued to be the opposition supporters.<sup>119</sup>

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<sup>116</sup> Political Violence Report (2002, January and February). Zimbabwe Human Rights NGO Forum.

<sup>117</sup> Human Rights Watch Interview with union organizers. (2001, 12 July). Human Rights Watch.

<sup>118</sup> UNDP Interim Mission Report. (2002, January). UNDP. p.31.

<sup>119</sup> Police attack villagers. (2001, 22 June). Daily News: Harare; Interview with a villager, 1980s resettlement farm, Marondera, Mashonaland East, July 27, 2001 and Chimanimani, July 17, 2001. (2001). Human Rights Watch and Moyo, S. & Matondi, P. (2001, May). Conflict Dimensions of Zimbabwe's Land Reform Process. IRIN. p.15.

## The role played by SADC in Zimbabwe during the conflict

In responding to the fast track land reform programme, the SADC initially took a low-key approach Zimbabwe.<sup>120</sup> In April 2000, President Chissano of Mozambique, speaking for SADC, told reporters that "we think the donors, including Great Britain, have to deliver. They have to fulfil their commitments." In August 2001, in the communiqué following the Blantyre, Malawi, annual summit of SADC, heads of government expressed their concern at the effect of the economic situation in Zimbabwe on the region. The summit appointed a task force comprising Mozambique, South Africa and Botswana to work with the Zimbabwe government on its economic and political issues.

In November 2001 South Africa's President Thabo Mbeki made it clear that he believed that the blame for Zimbabwe's troubles lay with the policies pursued by its ruling party.<sup>121</sup> In January 2002, South Africa criticised ZDF commander General Vitalis Zvinavashe for comments in which he stated that he could only support a president who had fought in the liberation struggle.<sup>122</sup> In December 2001 SADC Foreign Ministers stated that they opposed the sanctions proposed by the USA and EU.<sup>123</sup> They believed that violence on the farms had reduced significantly and that the few reported incidents were being dealt with under the criminal justice system and that the government was committed to holding free and fair elections. The Malawian Foreign Minister,

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<sup>120</sup> 'Southern African leaders back Mugabe over land occupations'. (2000, 22 April). [Cnn.com](#).

<sup>121</sup> 'State media lash out at Mbeki's betrayal'. (2001, 3 December). [South African Press Association](#).

<sup>122</sup> SA condemns Zimbabwe military. (2002, 11 January). [BBC](#).

<sup>123</sup> Communiqué of the Committee of Ministers for the SADC Organ on Politics, Defence and Security Cooperation. (2001, 18 December). [SADC Communiqué](#).



Lillian Patel, stated that "we have reiterated that the bottom line for Zimbabwe is a just and equitable land redistribution, which however, must be done in a legally sound and violence-free manner".<sup>124</sup> A SADC Heads of Government Summit, held in January 2002, welcomed assurances by President Mugabe that he would allow independent media to function, respect judicial independence, investigate political violence, allow independent election observers and respect the right to free assembly while expressing "serious concern" over Zvinvashe's warnings.<sup>125</sup> SADC leaders criticised the international focus on Zimbabwe at the expense of other crises in Africa and opposed EU and other sanctions. In January 2002, the Mozambican Foreign Minister, Leonardo Simao, accused western countries of waging a propaganda war against Zimbabwe.<sup>126</sup>

## Conclusion

Poor management of the economy, distribution of land to the deserving people and corruption led to dissatisfaction with the Mugabe government in Zimbabwe. The combination of these factors and the declining economy led to the formulation of the MDC to oppose the Mugabe government and provide the ordinary Zimbabweans with an alternative and better political party.

The MDC was powerful and a real challenge to Mugabe's ZANU-PF. His success in opposing the new constitution was seen as a threat to

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<sup>124</sup> Quiet diplomacy only way with Zimbabwe: Pahad. (2002, 13 January). SAPA.

<sup>125</sup> Summit takes no action on Mugabe, despite broken promises. (2002, 15 January). SAPA-AFP.

<sup>126</sup> Mozambique accuses west of propaganda campaign against Zimbabwe. (2002, 25 January). SAPA-AP.

Mugabe's existence by his supporters. The Mugabe government ensured that the elections that followed in 2000 and 2002 were difficult for MDC to win by instituting laws that made campaigning difficult. The Mugabe government also sanctioned violence against all MDC supporters, which culminated in deaths and injuries. This formed part of intimidation so that MDC supporters were discouraged from going to polling stations to vote for their party.

While all this was happening, SADC did not do much to settle the conflict that existed in Zimbabwe. The outside world knew what was happening through the media, which was silenced through arrests and intimidation. The media was the only way the international community could know what was happening in Zimbabwe and condemn it. The international community did nothing much to save the situation, while the MDC expected rescue from it and SADC.

## CHAPTER 4

### SADC INTERVENTION IN LESOTHO IN 1998

#### Introduction

Chapter 3 has indicated that political violence, which amounted to gross violation of human rights, took place in Zimbabwe. People were killed for one party to remain in power while the opposition party was rendered powerless and unable to woo supporters in Zimbabwe elections of 2000 and 2002. This happened with direct and indirect actions of the Mugabe regime through calculated political speeches.

The international community openly criticised actions and lack of actions by the Zimbabwe security forces. The media showed what the government was doing in Zimbabwe, but it was silenced so that the international community could not see or hear about human rights abuses. Zimbabwe is a member of SADC and, as such, is expected to behave in accordance with the SADC Charter (chapter 2). SADC is also expected to act against the member states, if they fail to comply with its Charter.

A situation arose in Lesotho where the 1998 election results were contested by the opposition party and led to violence, accompanied by destruction of property. SADC deployed a peacekeeping force to that country and force was used to restore order. In this chapter, the background to Lesotho's political situation and SADC's military intervention into Lesotho will be discussed with the aim of identifying whether there are differences or

similarities between the political violence in both Lesotho and Zimbabwe that necessitated SADC to intervene or not, in Zimbabwe as it did in Lesotho.

### **Background to political unrests in Lesotho, 1998**

The Kingdom of Lesotho attained full independence on 4 October 1966, governed by a constitutional monarchy with a bicameral parliament consisting of a Senate and an elected National Assembly. Basotho National Party (BNP) was the ruling party when Lesotho held elections in January 1970. The early results of the first post-independence elections indicated that BNP might lose control of the country. Under the leadership of Prime Minister, Chief Leabua Jonathan, the ruling BNP refused to cede power to the rival Basotholand Congress Party (BCP), although the BCP won the elections. Citing election irregularities, Prime Minister Leabua Jonathan nullified the elections, declared a national state of emergency, suspended the constitution and dissolved the Parliament.<sup>127</sup>

An Interim National Assembly was appointed in 1973 to govern the country. It had an overwhelming pro-government majority and was regarded as the instrument of the BNP. The Interim National Assembly was placed under the leadership of Prime Minister Jonathan. In addition to the Jonathan regime's alienation of Basotho powerbrokers and the local population, South Africa had virtually closed the country's borders because of Lesotho's support for cross-border operations of the African National Congress (ANC). South Africa publicly threatened to pursue more direct action against Lesotho if the

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<sup>127</sup> Coplan, D.B. and Quinlan, T. (ed). (1997). *A Chief by the People: Nation versus State in Lesotho*. Africa Journal Volume: 67. Issue: 1. p. 27.

Jonathan government did not root out the ANC presence in that country. This amounted to internal and external opposition to the government, which combined to produce violence and internal disorder in Lesotho that eventually led to a military takeover in 1986.<sup>128</sup>

Under a January 1986 Military Council decree, state executive and legislative powers were transferred to the King who was to act on the advice of the Military Council. The Military Council was a self-appointed group of leaders of the Royal Lesotho Defence Force (RLDF).<sup>129</sup> A military government chaired by General Justin Lekhanya ruled Lesotho in co-ordination with King Moshoeshoe II and a civilian cabinet appointed by the King.

In February 1990, King Moshoeshoe II was stripped of his executive and legislative powers and exiled by Lekhanya, and the Council of Ministers was purged. Lekhanya accused those involved of undermining discipline within the armed forces, subverting existing authority and causing an impasse in foreign policy that had been damaging Lesotho's image abroad.<sup>130</sup> Lekhanya announced the establishment of the National Constituent Assembly to formulate a new constitution for Lesotho with the aim of returning the country to democratic civilian rule by June 1992. Before this transition, however, Lekhanya was ousted in 1991 by a mutiny of junior army officers that left Phisoane Ramaema as Chairman of the Military Council. King

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<sup>128</sup> Lesotho. (2000). *The Columbia Encyclopaedia*. Columbia University Press: New York. p. 27502. History of Lesotho. (2004, 24 May). [Wikipedia/](http://en.wikipedia.org/wiki/Lesotho/History)  
<http://en.wikipedia.org/wiki/Lesotho/History> and History of Lesotho. (2004).  
<http://www.nationmaster.com/encyclopedia/History-of-Lesotho>.

<sup>129</sup> [http://en.wikipedia.org/w/wiki.phtml?title=Justin\\_Lekhanya&action=edit](http://en.wikipedia.org/w/wiki.phtml?title=Justin_Lekhanya&action=edit).

<sup>130</sup> [http://en.wikipedia.org/w/wiki.phtml?title=Justin\\_Lekhanya&action=edit](http://en.wikipedia.org/w/wiki.phtml?title=Justin_Lekhanya&action=edit). Ibid.

Moshoeshoe II was called back, but he refused to return to Lesotho under the new rules of the government in which the King was endowed only with ceremonial powers. His son was installed as King Letsie III. In 1992 Moshoeshoe II returned to Lesotho as a regular citizen until 1995 when King Letsie abdicated the throne in favour of his father.<sup>131</sup> After Moshoeshoe II died in a car accident in 1996, King Letsie III ascended to the throne again.

A new constitution was implemented in 1993, leaving the King without any executive authority and proscribing him from engaging in political affairs. Multiparty elections were then held in which the BCP ascended to power with a landslide victory.<sup>132</sup> Prime Minister Ntsu Mokhehle headed the new BCP government that had gained every seat in the 65 member National Assembly. Political instability increased as first the army, followed by the police and prisons services, engaged in mutinies in early 1994. King Letsie III, in collaboration with some members of the military, staged a coup in August 1994, suspended Parliament and appointed a ruling council.<sup>133</sup> As a result of domestic and international pressures, the constitutionally elected government was restored within a month.

There were isolated incidents of unrest in 1995, including a police strike to demand for higher wages. For the most part, however, there were no serious challenges to Lesotho's constitutional order in 1995-1996. Armed

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<sup>131</sup> Coplan, D.B. and Quinlan, T. (ed). (1997). *A Chief by the People: Nation versus State in Lesotho*. *Africa Journal*. Volume: 67. Issue: 1. p. 27.

<sup>132</sup> Southall, R. and Petlane, T. (eds). (1995). "Democratisation and Demilitarisation in Lesotho: the general election of 1993 and its aftermath". *Africa Institute of South Africa*.

<sup>133</sup> Deng, F.M. and Lyons, T. (ed). (1998). *African Reckoning: A Quest for Good Governance*. The Brookings Institution: Washington, DC. p. 88.

soldiers put down a violent police mutiny and arrested the mutineers in January 1997. Tension within the BCP leadership caused a split in which Dr Mokhehle abandoned it and established the Lesotho Congress for Democracy (LCD), followed by two-thirds majority in the parliament.<sup>134</sup> This move allowed Mokhehle to remain as Prime Minister and leader of a new ruling party, while relegating the BCP to opposition status. The remaining members of the BCP refused to accept their new status as the opposition party and ceased attending sessions. Multiparty elections were again held in May 1998.

Although Mokhehle completed his term as Prime Minister, due to his failing health, he did not vie for a second term in office. The elections saw a landslide victory for the LCD, gaining 79 of the 80 seats contested in the newly expanded Parliament. As a result of the elections, Mokhehle's Deputy Prime Minister, Pakalitha Mosisili, became the new Prime Minister.<sup>135</sup> The landslide electoral victory caused opposition parties to claim that there were substantial irregularities in the handling of the ballots and that the results were fraudulent. The conclusion of the Langa Commission (a commission appointed by SADC to investigate the electoral process) was consistent with the view of international observers and local courts that the outcome of the elections was not affected by these incidents. Despite the fact that the election results were found to reflect the will of the people, opposition protests in the country intensified. The protests culminated in a violent demonstration outside the royal palace in early August 1998 and in an unprecedented level of violence, looting, casualties and destruction of property.

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<sup>134</sup> [http://www.worldrover.com/history/lesotho\\_history.html](http://www.worldrover.com/history/lesotho_history.html).

<sup>135</sup> Lesotho. (2000). The Columbia Encyclopaedia. Ibid. p. 27502.

Junior members of the armed services mutinied in early September 1998. Dissident members of the RLDF seized arms and ammunition, and expelled or imprisoned their command cadre.<sup>136</sup> Government vehicles were hijacked, the broadcasting station closed down and senior defence force officers forced to take refuge in South Africa. The Royal Lesotho Mounted Police was not able to maintain law and order because of intimidation and there were distinct indications that a coup was imminent.<sup>137</sup> The public of Lesotho were held hostage by unruly and looting elements.

The Government of Lesotho requested that a SADC task force intervene to prevent a military coup and restore stability to the country.<sup>138</sup> The Chief of SANDF stated that Lesotho's Prime Minister, Phakalitha Mosilili, appealed in writing to SADC for military intervention to restore normality and the authority of his government. Originally four countries were requested to participate, namely Botswana, Mozambique, South Africa and Zimbabwe, but in the event only South Africa and Botswana were physically able to help.<sup>139</sup>

The Lesotho crisis was discussed during the SADC Summit in Mauritius in 1998. At a subsequent meeting in Gaborone on 15 September

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<sup>136</sup> Ayttey, G.B.N. (1999). How the Multilateral Institutions Compounded Africa's Economic Crisis. Law and Policy in International Business Journal. Volume: 30. Issue: 4. p.585, Molefe, T. (1998, 22<sup>nd</sup> September). "Lesotho in a Crisis as Peace Efforts Fail". Sowetan. p. 1.

<sup>137</sup> Sutton-Pryce, T., Baudin, C. & Allie, A. (1998, November). "Baptism of Fire for SANDF". Salute. p. 26.

<sup>138</sup> Arnold, G. (2000). The New South Africa. Macmillan: Basingstoke. p.183. History of Lesotho. (2003). Lonely Planet Publications, [http://www.encyclopedia.com/html/section/lesotho\\_history.asp](http://www.encyclopedia.com/html/section/lesotho_history.asp) and History of Lesotho. (2004). <http://www.nationmaster.com/encyclopedia/History-of-Lesotho>, Ibid.

<sup>139</sup> General S. Nyanda. (1998). <http://www.mil.za/CSANDF/CJOps/Operations/General/Boleas/Boleas-1.htm>



1998 was attended by, amongst others, the Ministers of Defence of South Africa and Botswana (Zimbabwe government sent an apology). South Africa and Botswana were instructed to plan military intervention in Lesotho under SADC auspices and in accordance with SADC agreements. The planning started on 16 September 1998 and the operation was to commence on 18 September 1998.<sup>140</sup> After the Langa Commission Report appeared in the media, the opposition engaged in steady "unrest" against the government. Junior officers forced 15 of their seniors to resign. These senior officers fled to South Africa.

### **Perspectives on "OPERATION BOLEAS"**

President Mandela and Deputy President Mbeki were overseas when Dr Buthelezi, the Minister for Home Affairs and head of the Inkatha Freedom Party, who was the acting President of South Africa at the time, consulted them about SADC intervention in Lesotho. They agreed to this and on Tuesday morning of 22 September 1998 the troops were deployed to Lesotho.<sup>141</sup> Six hundred South African troops deployed into Lesotho on 22 September 1998 to quell the rioting and maintain order. Botswana soldiers were also deployed. The operation was described as a "intervention to restore democracy and the rule of law." This operation was code-named 'OPERATION BOLEAS'. That was the beginning of SADC military operation in an effort to deal with the deteriorating security situation in Lesotho. Although this was a combined military taskforce consisting of the SANDF and the

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<sup>140</sup> General S. Nyanda. (1998). Ibid.

<sup>141</sup> Constantine, G. (1998, 22<sup>nd</sup> October). "African Group Emerges as Peacekeeper: SADC's Original Goal Was Stronger Economic Growth." The Washington Times. p. 15.

Botswana Defence Force (BDF), it not was until after the nightfall on 22 September 1998 that approximately 200 Botswana troops arrived in Maseru.<sup>142</sup>

The SANDF stated that the combined task force's mission was to intervene militarily in Lesotho to prevent any further anarchy and to create a stable environment for the restoration of law and order.<sup>143</sup> Colonel Robbie Hartsliet, who was the commander of SADC combined task force in Lesotho, stated that the battle concept was "the deployment of forces in order to locate and identify destabilisers and destabiliser resources, disarm and contain them and to strike where applicable with the necessary force to eliminate the threat".<sup>144</sup> The desired results or end-state were to create a stable environment in Lesotho and restore law and order to enable negotiations to take place between the political parties.

The South African government stated that the military intervention did not constitute an invasion.<sup>145</sup> The decision was based on and justified by the fact that SADC was directly approached by the Prime Minister of Lesotho, Pakalitha Mosisili, who requested its intervention based on agreements reached in SADC. Dr Buthelezi also stated that all attempts at peacefully

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<sup>142</sup> Neethling, T. (1999, May). Military Intervention In Lesotho: Perspectives On Operation Boleas And Beyond. The Online Journal of Peace and Conflict Resolution. Issue 2.2 and South African Intervention in Lesotho in 1998. (2004, 19 May). Wikipedia/<http://en.wikipedia.org/wiki/Lesotho/History>.

<sup>143</sup> <http://www.mil.za/SANDF/Current%20Ops/Boleas/Boleas-2.htm> dated March 1999.

<sup>144</sup> Presentation by Colonel Robbie Hartsliet, Officer Commanding *OPERATION BOLEAS*, Maseru. (1998, 2 October). South African National Defence Force.

<sup>145</sup> Buthelezi, G.M. (1998, 6<sup>th</sup> October). "It was Intervention, Not an SA Invasion", The Star. p. 6.

resolving the dispute had failed and that South Africa had intervened to protect certain South African interests such as the Katse Dam water scheme. It was, furthermore, stated that the Lesotho government was democratically elected and that it was increasingly required of South Africa to play a role in regional peacekeeping efforts.<sup>146</sup> In addition, it was stated that the decision had notified ambitious elements in the military forces in the region that in no member state would the political aspirations of any military faction be tolerated and that South Africa's commitment to this policy was also a commitment to development in the region.

SADC troops were pulled out in May 1999 after 7 months of peacekeeping after stability returned to Lesotho. A small task force, joined by Zimbabwean troops, was left behind to provide training to the LDF.<sup>147</sup> An Interim Political Authority, charged with reviewing the electoral structure in the country, was created in December 1998. The army mutineers were court-martialed and Lesotho's political situation was stabilised substantially.

Cornish and O'Grady state that as far as media reports were concerned, the intervention operation in Lesotho became South Africa's school of hard knocks, especially in light of the higher than expected casualties. Newspaper headlines referred to "OPERATION BOLEAS" as, "the incursion that went wrong", "fearful milestone for South Africa" and " SANDF

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<sup>146</sup> Republic of South Africa, Department of Defence, Bulletin, No 57/98, 22 September 1998 and Haysom, F. (1998, 14<sup>th</sup> October). "Defending Regional Democracy". The Star. p. 6.

<sup>147</sup> <http://www.mil.za/SANDF/Current%20Ops/Boleas/Boleas-2.htm> dated March 1999. Ibid.

blunder".<sup>148</sup> As arson and looting in Maseru resulted in several deaths, the effect of the operation was described as "a city ruined by bungled intervention" and "Lesotho tarnishes South Africa's peacemakers image."<sup>149</sup>

Neethling states that from a military point of view, it would seem that, unlike many other previous multinational operations on the African soil, the SANDF was not hampered by political uncertainty over the political and strategic objectives of the operation.<sup>150</sup> The intervention was intended to establish control over the South African-Lesotho border, to protect South African assets and to stabilize Maseru in order to create a safe environment in which Lesotho's problems could be negotiated. The military planners of "OPERATION BOLEAS" were able to define a clear mission, a battle concept and a desired result for the operation.

Fabricius states that there appeared to be substantial evidence that the decision to send troops to Lesotho marked a change by the South African government which, after failing to persuade the quarrelling parties to sit down and talk to each other, called upon the SANDF to intervene in the mountain kingdom.<sup>151</sup> This left the SANDF without a proper contingency plan, especially

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<sup>148</sup> Cornish, J.J. (1998, 26<sup>th</sup> September). The Incursion that Went Wrong. Pretoria News. p. 5. and Heitman, H.R. (1998, 30 September). SANDF Blunder Means Longer Stay in Lesotho. Jane's Defence Weekly. p.5.

<sup>149</sup> O'Grady, K. (1998, 25 September). A City Ruined by Bungled Intervention. Business Day. P.11 and Lesotho Incursion Tarnishes SA's Peacemaker Image. (1998, 25 September). Business Day. p.11.

<sup>150</sup> Neethling, T. (1999, May). Ibid.

<sup>151</sup> Fabricius, P. (1998, 25<sup>th</sup> September). Fearful Milestone for South Africa, The Star. p.14.

in light of vagueness and uncertainty concerning the ambit of South Africa's foreign policy framework for peace enforcement. The SANDF units were not fully combat-ready as time was too short for proper planning, executing deployment drills and rehearsals by the units involved. Stock-level planning for operational reserves was not properly done, resulting in a strain on supplies. There was also no substantial indication that "OPERATION BOLEAS" was really hampered by financial constraints in terms of its day-to-day requirements. Neither were the combined task forces troubled by serious or substantial difficulties as regards long-distance deployment, command-and-control arrangements, sound civil-military relations, linguistic problems, diverse military cultures, poor quality of the participating forces and a lack of command functionaries with proper managerial skills. The South African and Botswana forces, and their support systems rate amongst the best in Africa.

Sutton-Pryce, et al, state that "OPERATION BOLEAS" experienced certain shortcomings and problems. As a result of intelligence reports on the situation in Lesotho, the SANDF's assessment was somewhat over-optimistic and resulted in a force too weak to handle the operational requirements and, especially, the level of resistance on the part of RLDF elements.<sup>152</sup> The Lesotho soldiers, fighting mostly from brush-covered defensive positions among hills near Maseru, unleashed ferocious volleys of automatic-weapons'

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<sup>152</sup> Sutton-Pryce, T., Baudin, C. & Allie, A. (1998, November). "Baptism of Fire for SANDF". Salute. p. 27.

fire and mortar barrages.<sup>153</sup> The SANDF suffered casualties which were 8 dead and 17 injured SANDF soldiers. The RLDF had 29 dead, 5 injured and 170 arrested soldiers. BDF had no casualties related to "OPERATION BOLEAS".

The Chief of the SANDF, General Nyanda, stated that the military objectives defined in the mandate were accomplished, despite the fact that certain tactical errors were made and the degree of armed resistance encountered was greater than had been anticipated.<sup>154</sup> The military viewpoint, according to Sutton-Pryce, et al, was that "OPERATION BOLEAS" was successfully conducted as it succeeded in stabilizing the security situation in Lesotho.

### **Modalities for SADC military intervention**

According to Hough, one of the greatest difficulties in "OPERATION BOLEAS" was its political justification from a regional perspective. Much confusion surrounded the modalities for security co-operation under the auspices of SADC. In August 1998, SADC became the focus of international attention when Angola, Zimbabwe and Namibia decided to take part in an intervention operation in the DRC. DRC became a member of SADC in 1997. The decision

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<sup>153</sup> "Peacekeeping mission like war." (1998, 24<sup>th</sup> September). Hannibal Courier-Post News. Engelbrecht, L. (1999, 27<sup>th</sup> May). "Southern Africa's peacekeeping force takes shape." Defence Systems Daily.

<sup>154</sup> Nyanda, S. (1999, January). New Year Messages: Message from the CSANDF. Salute. p.12.

was based on requests from President Laurent Kabila for military assistance against advancing rebel forces.<sup>155</sup>

Berman and Sams state that peacekeeping in DRC was not organised under SADC auspices, although it received retroactive endorsement from SADC.<sup>156</sup> In September 1998, shortly after Kabila's request for assistance, South Africa and Botswana intervened in Lesotho in an attempt to assist the Lesotho government in restoring law and order following the election-related unrest. The undertaking was labelled as a 'SADC force' in name after a series of phone calls between the relevant heads of state. Hough notes that the intervention was immediately questioned because the operation went beyond existence in international law as only the point that South Africa had intervened to protect certain South African interests, such as the Katse Dam, would seem to have clear existence in international law.<sup>157</sup> It was, furthermore, specifically pointed out that there were no clear guidelines on the part of SADC regarding military responses to internal conflicts in SADC member countries.

Clapman states that the formulation of UN mandates is generally a time-consuming process that does not provide for swift intervention in internal crises. He states that in conflicts in Angola and Rwanda, the UN forces were

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<sup>155</sup> Hough, M. *Collective Security and its Variants: A Conceptual Analysis with Specific Reference to SADC and ECOWAS. Strategic Review for Southern Africa*, vol XX, no 2, 1998, p.36.

<sup>156</sup> Berman, E.G and Sams, K.E. *Constructive Engagement: Western Efforts to Develop African Peacekeeping. Institute of Security Studies Monograph*, no 33, December 1998, p.9.

<sup>157</sup> Hough, M. (1998) *Collective Security and its Variants: A Conceptual Analysis with Specific Reference to SADC and ECOWAS*. pp. 37-38.

brought in at a fairly late stage of the proceedings.<sup>158</sup> The OAU found that even when Africans were prepared to provide the forces for deployment in UN operations in Africa, the UN Security Council was reluctant to authorise such missions. Vogt states that one explanation was that some of the Security Council members were unwilling to commit resources to African operations that might continue for indefinite periods. This was the case in Congo Brazzaville, Sierra Leone and the Comoros. It is also argued that the current UN structure is not suitable to the proper conduct of intervention operations.<sup>159</sup>

Stofberg notes that what seemed to be important was to address potential conflicts or coups before they take place or escalate beyond control. This was articulated by the Officer Commanding "OPERATION BOLEAS", Colonel Robbie Hartsliet, who suggested that "...this kind of intervention (in Lesotho) was accepted as a new kind of peace operation in Africa, because such operations may prevent a massive loss of lives and enormous economic damage".<sup>160</sup> According to Hartsliet, everything possible must be done to prevent civil war and this can be achieved only if intervention takes place before armed conflict occurs.

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<sup>158</sup> Clapman, C. (1999). "The United Nations and Peacekeeping in Africa", Paper Presented at a Symposium on International Peace and Security: The African Experience. South African Military Academy, Saldanha. p.9.

<sup>159</sup> Vogt, M. (1998). "Cooperation between the United Nations and the OAU in the Management of African Conflicts", Paper Presented at a Symposium on International Peace and Security: The African Experience. SA Military Academy, Saldanha. p.7 and Bir, C. (1997, December). Interoperability and Intervention Operations. *op cit*, p.25.

<sup>160</sup> Stofberg, A. (1998, 3 October). SA moet mag nou steun. Beeld. p.9.



## Conclusion

There was a political unrest in Lesotho in 1998 that required foreign intervention to restore law and order since its security forces were involved and not capable to police themselves. Birman and Sams are causing confusion when they link SADC deployment to Lesotho with deployment of Zimbabwe, Angola and Namibia to the DRC. Lesotho operation was authorised by the SADC Summit as early as 1994 when there were indications that conflict might erupt anytime. When violence erupted in 1998, all that was needed was that the tasked countries had to form a task force for peacekeeping operation. The SADC Protocol authorised intervention in intra-state conflicts between the government and non-state party (Article 2 of the Protocol on Politics, Defence and Security Co-operation).

The civilians who died in Lesotho were as a result of the rioting that took place in 1998. SADC soldiers (SANDF) and RLDF soldiers who died were as a result of fighting that took place between them when SADC forces attempted to occupy the RLDF bases in order to render them incapable of fighting any further in 1998. SADC forces had fewer casualties than RLDF because of tactical and military equipment advantage on the side of SADC forces.

The Colonel Hartslief of the SANDF commanded the SADC forces. They were given clear mission and objectives to achieve by General Nyanda, Chief of the SANDF, on behalf of SADC. This worked well for those for "OPERATION BOLEAS", but may pose a problem in the future because there is a need that SADC form a Mission Headquarters which would operate as a

political level and give SADC mission and objectives as opposed to Chief of the SANDF. The Inter-State Defence and Security Committee should have played this role.

## CHAPTER 5

### CRITICAL ANALYSIS

#### **Introduction**

Chapter 4 discussed how and why SADC deployed its keeping forces in Lesotho in 1998. This chapter is the critical analysis of SADC, its peacekeeping actions in Lesotho in 1998 and what really happened in Zimbabwe from independence to 2002. It will indicate if there is sufficient course for SADC to have considered intervening in Zimbabwe to enforce any of its protocols or treaty.

#### **How land created tension in Zimbabwe from 1980 to 1999**

Fifty thousand families were settled in 3 million hectares of land between 1980 and 1989 in Zimbabwe, giving each family 60 hectares. In the early 1990s seventy one thousand families were settled in 3.5 million hectares of land, giving each family 49, 29 hectares. Four hundred senior ZANU-PF officials were settled in 400 000 hectares of land, giving each 1000 hectares. During that period 1 million families survived on 16 million hectares of land unsuitable for agricultural production, although they depended on agriculture for survival. This gave each family 16 hectares of land from which they had earn a living. In 1999 twenty thousand families were given 1 million hectares of land to settle, giving each family 20 hectares. Forty five million hectares of rich agricultural land belonged to 4 500 white commercial farmers in 1999, giving each 10 000 hectares.

The implication was that more and better land still belonged to the whites and senior ZANU-PF officials, not the needy black rural people. Originally, there was inequality between blacks and whites, but the senior

government officials joined the white farmers in owning big farms. This was bound to create future problems between the government and its people, especially when the senior party officials proved that they were only interested in themselves, not the poor people.

Effective land acquisition was hampered by the 1979 agreement at the Lancaster House that land would be sold on "willing buyer", "willing seller" and "full market price" bases. "Willing buyer" and "willing seller" meant that there should be a farmer willing to sell a farm that the government of Zimbabwe was willing to buy. "Market price" meant that the government had to buy the farm at a price it would have cost anyone who wanted to buy it at a particular time. This meant that no white farmer would be forced to sell any farm if he or she was not willing and, indeed, few farmers were willing to sell their farms in the 1980s. If the majority of them were willing to sell their farms, the Zimbabwean government would have been hampered by the availability of funds to purchase those farms at full market price, which was not affordable to it. It depended on money forwarded by donors, which included Britain. Britain attached conditions for the use of its loans, failure of which would have caused funding to stop. The available loans were depleted by 1988 while the stated expiry of funding for land acquisition was 1996.

It was in Britain's interest not to provide adequate funding to the Zimbabwean government to buy the whites' farms. Britain thought that if it provided less money with conditions for its use, more land would remain in the hands of the white farmers, which was the case until 1999. President Mugabe helped Britain to have a reason to accuse his government for corruption

because his ZANU-PF senior officials and ministers gave themselves more land than the deserving landless people up to 1996.

The Zimbabwe government played in the hands of the British government and the whites in Zimbabwe by agreeing in 1979 not to pursue land redistribution for 10 years after independence. President Mugabe demonstrated lack of will to acquire enough farms and distribute to the deserving landless people. This is the reason why some illegal occupation of the whites' farms started as early as the 1980s and continued to the 1990s. The white commercial farmers contributed towards the country's foreign exchange and the government did not want to disturb their lucrative farming activities as a result. When the government of Zimbabwe passed its compulsory land acquisitions "phase 1" in 1997 and 'phase 2" in 1999, the British government decided to starve it of loans that were needed to provide services to the people. It also influenced other donors to do the same in 1999.

The Zimbabwe government demonstrated its willingness to listen to the donors in order to get funding. It implemented the IMF's structural adjustment programme, which resulted in retrenchment of more than 14 000 people and no improvement of that country's economy. It would not make sense to blame the Zimbabwe government for not following the agreements between it and donors as a result. President Mugabe's willingness to listen to the IMF's structural adjustment programme and Britain's conditions for funding negatively affected both the land redistribution and the economy of the country.

The liberation war in the then Rhodesia between the white government of Ian Smith and ZANU-PF/ZAPU guerrilla forces was about forcefully

reclaiming the land that the British government acquired through colonisation of Zimbabwe. Force in the form of guerrilla warfare did not help the guerrilla forces to reclaim their country from the white Rhodesians, but an agreement that was reached in the Lancaster House changed the way land was acquired. The few white farmers that remained in Zimbabwe, after independence in 1980, did not foresee the negative implication of keeping most of the fertile land as their exclusive property while millions of black Zimbabweans were landless and starving. These farmers hoped that Britain come to their rescue should any illegal acquisition of their farms take place, but they were wrong. Britain suspended funding, but could not stop compulsory farm acquisitions in 2000.

Chenjerai "Hitler" Hunzvi took charge of the war veterans. Chenjerai organised the war veterans for forceful occupation of white farms, taking advantage of the new government land policy that allowed it to acquire the whites' farms without compensation. Farm occupations in 1999 intensified and helped the war veterans to make themselves known to the people.

The government could not allow the war veterans to be regarded as champions of the people because this would have made the people like Chenjerai too famous than Mugabe would have liked. When Mugabe announced the referendum of 2000 and used land as the slogan for campaigning, he wanted to neutralise the war veterans indirectly. This seemed to be backfiring on the government's face when farms not earmarked for redistribution without compensation were also occupied by the war veterans in 2000. The government played it cool by acting as if it was the one that sanctioned such occupations. The government's plan also backfired

when the war veterans and ZANU-PF supporters killed, raped, injured and intimidated the white farmers and farm workers in the process of occupation. Again the government played it cool by claiming that land belonged to the people and never worried about dead or injured people. To show that the government was in favour of what the war veterans were doing, it provided money for meals to each of them, as well as transport to various parts of the country.

Chenjerai named himself "Hitler" in order to create fear in the eyes of the people he terrorised in the process of forcefully occupying the whites' farms. He used this name because it is associated with Adolf Hitler, a NAZI German leader who started the 2<sup>nd</sup> World War. Adolf Hitler used "blitz krieg" or lightning warfare to concur and occupy France, Tunisia, Egypt, Russia and Britain, although he could not concur all of them. His military action capitalised on the use of the German Air Force, Army and Navy to concur distances. Adolf Hitler's troops were effective in using military tactics that were superior to those of their enemies, and this was why they won most of the major battles at the beginning of the war. Chenjerai was that type of a person because in all the farms he occupied, there was no resistance and he did not waste time, but fought his way through. He quickly divided the farms he occupied among his followers and supporters of the ZANU-PF. All this played in President Mugabe's hands of because his followers included Chenjerai, and therefore, all actions by the war veterans were those of the government.

The police did not at any stage attempt to stop the war veterans from occupying the whites' farms. This is an indication that the move by war veterans to occupy them was in President Mugabe's favour and he saw it as

speeding up his fast-track land reform programme. The distribution of land on the fast-track programme was not aimed at all Zimbabweans because the MDC supporters did not benefit. The MDC supporters could not benefit from fast-track land reform programme because most white farmers were members of the MDC. Therefore, giving the MDC supporters the whites' farms could have caused those farms to be returned to their former white owners. The MDC was against illegal occupation of their white supporters' farms, as well as fast-track land reform programme.

There was no difference between the formed MDC party's land policy and what President Mugabe did regarding land from 1980 to 1999. The MDC did not have a plan to redistribute the fertile land that was controlled and used by the white farmers. It wanted to deal with the available land that was not suitable for agricultural purposes and the farms corruptly acquired by ZANU-PF officials. It could be expected that the MDC party protect its white supporters and funders by ensuring that their economic interests and activities were not disturbed. The only problem is that this plan or policy ignored the fact that individuals started occupying the whites' farms in 1999 in large numbers because they were aware that what they had was useless to earn them a decent leaving. They were aware too that the government was not willing to give them adequate land suitable for agriculture. The decent agricultural farms were too small to earn a leaving while senior government officials and white farmers had very large farms. Tsvangirai targeted corruptly acquired farms occupied by senior ZANU-PF officials, demonstrating to them that they were not safe with him in government while the whites were.



### **How the poor economy contributed to crisis in Zimbabwe**

The war veterans organised themselves into an association in 1989 to unite their effort in lobbying for government assistance. There were about 40 000 former guerrillas of the ZAPU and ZANU-PF who took part in Zimbabwe's war of independence. They expected assistance from the government since they were the ones who helped change the colonial rule. The government neglected them until 1993 when they exerted pressure, which forced it to listen to their complaints. The government passed the War Victims Compensation Act, which allowed the war veterans to claim money, which they could use to survive without employment. Senior ZANU-PF officials who were employed and occupying high government positions made very high claims for themselves, which depleted the funds. The result was that the War Victims Compensation Act played a negative role of swaying the war veterans' allegiance away from the government. The lives of the war veterans were not changed for better while those of senior ZANU-PF officials did as a result of fraud.

Hunzvi was at the forefront of fraud because he and other doctors changed the medical records of senior officials so that they qualified for better compensation than that which was allocated. It is believed that Hunzvi also benefited from his fraudulent deeds. Funds were limited and could not cope with their high demand. The results were that they were depleted before all deserving war veterans could have their claims settled.

Something needed to be done again in identifying and releasing funds because dissatisfaction among war veterans was regarded as a danger to the government. President Mugabe released funds again in 1997 for the

compensation of war veterans. There were no effective economic activities that allowed the government to acquire and transfer funds to the war veterans, but the government planned to increase taxes. This move caused the militant strikes by the trade unions in 1997. The war veterans were happy because they received their once off Z\$50 000 and Z\$2000 monthly. This is the way in which President Mugabe cemented his relations with the war veterans, while the economy suffered.

More than 14 000 civil servants lost their employment through the government's restructuring programme in response to IMF's structural adjustment programme in the 1990s. Up to 76 per cent of the population was living below poverty, 50 per cent unemployed and the inflation was above 60 per cent in 1999. Life was very difficult for those who were not earning a living and there was nothing the government did for them.

While the vast majority of ordinary Zimbabweans were experiencing hardships, Mugabe gave 300 per cent salary increment to the MPs and between 500 and 750 per cent to tribal headmen and chiefs. The government then depended on donors to execute its function in the country. Food prices were very high and fuel shortages were experienced as early as 1997. Civil servants were dissatisfied with the government regarding how it managed the economy and politics. Militant strikes were experienced and it seemed the government was losing control. During those hardships the government deployed 11 000 soldiers to DRC in 1999 at a cost of US\$1 million per day, to help President Laurent Kabila against his opponents, in 1999. This decision was taken despite the fact that money to sustain the soldiers in DRC was dependent on donor funding.

While the economy was performing badly and the government seemed to be losing touch with what was happening in the country, the IMF, Britain and other donors cut their loans to Zimbabwe in 1999. The reason cited was financial mismanagement by the Zimbabwe government. This suspension was a recipe for disaster because 11 000 soldiers were already in the DRC and needed to be maintained daily, or they faced death as a result of lack of military logistics. The IMF has to blame for this deployment because it allowed the Mugabe government to deploy its troops to the DRC and to use part of the loan for that purpose. This forced the Zimbabwe government to channel the few remaining resources to those soldiers and risked bankrupting the country.

The Zimbabwe government was unable to control the inflation and rising unemployment, which caused it the support of the civil servants and rural people. The high percentage of people living below poverty line was at the time when the inflation was very high and the IMF, and other donors, suspended funding to the government of Zimbabwe. This was an indication that the IMF did not care about what happened to the poor people in that country. Despite dependence on donors and the IMF, the Mugabe government saw an opportunity of reducing that dependency by deploying soldiers in the DRC in exchange for diamonds and other mining activities that could be exploited by Zimbabwe businessmen. This was a miscalculation because President Mugabe should have considered the effects of the international pressure against foreign occupation of any country.

If President Mugabe were properly advised regarding strong and weak points of the military assistance to President Laurent Kabila, he would not

have engaged his country in an expensive conventional warfare knowing that it had the potential of bringing the economy down. The possibility exists that he might have deployed his troops despite any advice if President Laurent Kabila convinced him that there was more to gain than to lose. Military operations are very expensive and require that most of the country's resources be dedicated to it until the war is over to ensure victory. Military operations use a lot of fuel, ammunition, vehicle and aircraft spare parts, food, clothing, replacement of damaged or destroyed equipment (aircraft, weapons and vehicles), danger allowances to troops and funerals for the dead ones, followed by compensation to the bereaved families. This is why a lot of activities are ignored in order to rally behind the war effort. Under the mentioned economic circumstances, President Mugabe should not have considered to deploy his soldiers in the DRC.

It might be thought that the DRC is far from Zimbabwe and that its war had no influence in what was happening in the country. Unfortunately the deployment of Zimbabwe soldiers in the DRC contributed to the poor performance of the economy, high inflation and a high cost of living. This directly and negatively affected the lives of all Zimbabweans. War is an activity that takes a lot of money away and bring only suffering back. The cancelling of loans by the IMF and other donors, the war in the DRC and lack of foreign investment, or high foreign trade meant that the economy was worsening. Even if President Mugabe was willing to buy farms from the whites, there was no money to do so. Had there been enough money to buy farms, more would have been bought and this would have reduced the numbers of hectares of agricultural land under whites. This might have

reduced or nullified farm occupations, acquisition without compensation or attraction to fight in the DRC in exchange for mining concessions.

The government had less control of the country because it was no longer fully in charge politically and the economy was in shambles. The trade unions went on full strike for better wages and good management of the economy in 1997. Civil servants believed that the reason why the inflation was high and the economy was performing badly was the mismanagement of the economy by the Mugabe government. The civil servants were at the forefront of these militant strikes. Huge salary increments that President Mugabe gave to his MPs and chiefs, together with the state of the economy are to blame for the strikes. Unfortunately the strikes did not change the already poor state of the economy, but instead, worsened it further because no production took place at the time of the strikes. This contributed to the already high inflation and unfavourable rate of exchange. What the strikes did was to make it clear to President Mugabe that the trade unions were prepared to bring the country's ailing economy further down in order to force change in the government.

### **How politics contributed to the conflict in Zimbabwe**

It was in 1997 that President Mugabe realised that he was losing touch with his people. He proposed the review of the constitution, which he thought would bring him closer to the ordinary Zimbabweans again (rural people where he thought his power base lied). The National Constitutional Assembly (NCA) was appointed to write the new constitution. This was important to President Mugabe personally because his term of office was expiring in 2002.

There were disagreements among the 400 commissioners of the NCA, who included church leaders, government officials, NGOs, opposition parties and trade unions leaders. Clauses that extended President Mugabe's stay in office for two more terms and the one that empowered him to seize whites' farms without compensation, were added even though they were not agreed upon. Seizure of whites' farms without compensation was aimed at regaining political support for the government from the landless rural communities. The new constitution was passed and adopted by the parliament in November 1999 amid the opposition by non ZANU-PF commissioners. The new constitution gave President Mugabe more powers than the parliament. This meant that he did not need the approval of the parliament for any decisions he made.

The new constitution was supposed to bring black Zimbabweans closer to each other, but played a role of further dividing them along political lines which were not clearly defined at the time. The division among the commissioners regarding the powers given to President Mugabe indicated that the ZANU-PF commissioners favoured a powerful president while others wanted him out of the government, or with reduced powers. It indicates that ZANU-PF officials wanted no other person than President Mugabe to lead the country at that time.

The Movement for Democratic Change (MDC) was formed in 1999 by the people who were dissatisfied with the way the country was governed and they wanted change, hence the party's name. It took over from the NCA and consisted of its former commissioners at its inception. The membership included the churches, trade unions, white farmers, business people, ordinary

Zimbabweans and civil servants. The MDC intended to oppose the ZANU-PF in the new constitution's referendum and elections in 2000, in order to bring about change in Zimbabwe. The MDC came about when most Zimbabweans had lost hope that President Mugabe would ever be able to bring about economic recovery and political change for better.

The economy was in a very bad shape in 1999 and the MDC saw this state of affairs as the failure of the ruling party, which it thought it could change. The fact that MDC had a lot of support from most of the Zimbabweans and white farmers was a threat to President Mugabe because there existed a credible challenge to his party for the first time in Zimbabwe's history.

#### **How crisis became violent conflict**

Confident that the ZANU-PF was going to win, Mugabe called for a referendum to allow the Zimbabweans to decide in a ballot box whether they wanted the new constitution or not. This took place in February 2000. The MDC campaigned against the new constitution while the government campaigned in its favour, using the slogan "land is the economy, economy is the land" as the main reason why the people had to support the new constitution. President Mugabe decided early that land was the reason why the people had to vote in favour of the ZANU-PF and support the new constitution. The law that allowed President Mugabe to acquire the whites' farms without compensation was passed and farms identified. President Mugabe wanted to be seen as a liberation hero who knew that people wanted and fought for it, and that he was able to deliver. The only problem is that he took too long to address the land redistribution issue to such an extent that

people regarded him as not being serious in fulfilling his independence promises, one being land to the people.

President Mugabe stated that he would obey the people's decision regarding the referendum results. He was confident that people would rally behind him when they heard that land was at the centre of the new referendum and that action was being taken to acquire it at all costs. As it will be shown, he was still not aware that the majority of the people had given up on him already.

Vigorous and successful campaigning by the MDC for the referendum and against the new constitution threatened the ZANU-PF party. It was even clearer to the government that it no longer had the support it thought it had. President Mugabe used the powers that the new constitution gave him to ensure a 'Yes' vote in the February 2000 referendum. He utilised the Colonial Law and Order Maintenance Act to disorganise and ensure that the MDC's campaigns for a 'No' vote were a failure. This act allowed the police to harass and disperse or arrest anyone in the MDC's assembly while the ZANU-PF party campaigned unhindered. President Mugabe called for a vigorous land redistribution programme and identified white farms that had to be seized as an attempt to woo people to rally behind him for a 'Yes' vote. These whites were members of the MDC and expected protection from their party, which was not possible under the circumstances.

President Mugabe's preparedness to use the colonial laws to suppress his opponents was proof that he was not prepared to replace the past oppressive laws as long as they suited his purpose. This is indicative of the fact that independence in 1980 did not bring about change from the past to a



better future for most Zimbabweans. The use of colonial laws and inability to effectively distribute land as early as was possible indicates that the war for the liberation of Zimbabwe was not a war to break with the past for President Mugabe, as long as he stood to gain. He gained regarding the keeping of fertile land under the use and control of white tobacco commercial farmers because this earned the country foreign income.

To President Mugabe's surprise, the majority of the people voted against the new constitution and the MDC won the referendum as a result. President Mugabe retaliated by stating that those who opposed the new constitution were the "sell-out Zimbabweans who wanted to retain the colonial constitution". This was a hate speech intended to incite the ZANU-PF supporters against the MDC supporters. President Mugabe blamed the MDC for his defeat because democracy meant nothing to him. This is how he demonstrated that he was not going to support the decision of the people if his intention was not successful in the referendum.

The problem with the words President Mugabe used to blame the MDC and its supporters for his defeat in the referendum was that they pointed at him more than they did to the MDC. President Mugabe used the colonial Rhodesian laws to ensure that the MDC found it difficult to rally support against the new constitution. The new constitution was more about giving President Mugabe more powers to do as he wished in the country than to empower people to exercise checks and balances on their government. As a result, the new president or ruling party in future would have had to change the new constitution to the one that deals with the country and its people than the ruling party and its leader.

President Mugabe did not stop the use of oppressive colonial laws after the referendum. Intimidation in the form of murder, unlawful detention and assaults intensified against the MDC and its supporters closer to the June 2000 general election. Violence, therefore, played two roles for the Zanu-PF party. One role was to ensure that the MDC could not win any elections and the other role was to dispossess whites of their farms. The main perpetrators of violence were the ZANU-PF supporters. War veterans led farm occupations, which were accompanied by violence against the farmers and their workers. Additional restrictive laws were passed by the government, all aimed against the MDC, in order to ensure that it was unable to amass support for the general election.

Some MDC supporters used limited violence to protect themselves, but it was nothing compared to that of the ZANU-PF supporters. The MDC supporters who retaliated against ZANU-PF supporters that attacked them were quickly arrested by the police, not the attackers. The ZANU-PF supporters killed 154 MDC supporters, raped 11, assaulted 1600 and displaced 3000 farm workers for supporting the MDC from the beginning to the end of 2000. This was aimed at forcing the MDC party to give up the election so that victory was guaranteed for the ZANU-PF party. The MDC leadership and supporters were committed to change despite all hardships they endured from the ZANU-PF.

The ZANU-PF party used everything possible to ensure that it had more votes than the MDC during the counting of ballot boxes. It was later found that some of the ZANU-PF party supporters who voted were actually the deceased people. International observers were denied accreditation until

the last minutes of voting so that they could have less information about vote-rigging and other irregularities. The MDC was aware about all this and could not do anything to change it. Despite the life-threatening political situation, the MDC won 57 parliamentary seats while the ZANU-PF party won 62 seats. Due to the undemocratic law that was aimed at ensuring that the ZANU-PF won the general election at all costs, 30 more seats were reserved for President Mugabe to appoint MPs. This gave the ZANU-PF party the majority over the MDC by 35 seats. The 57 seats made the MDC a powerful opposition party and a possible future government that the ZANU-PF party was not prepared to face.

Convinced that it won the majority votes, the MDC attempted to challenge the election results in the court because it believed in justice. The judges that took the cases and ruled against the government were dismissed by the ZANU-PF government. The government also passed laws that prevented courts from changing its election results. This was another demonstration that the government was not prepared to lose the election at any cost, although it pretended to be democratic and observe the rule of law.

Towards the 2002 presidential election, violence against the MDC supporters worsened than before. One hundred and seven people were killed, 945 tortured, 242 unlawfully detained, 5 women raped and 1000 identity cards confiscated. This happened against the MDC supporters from the beginning of 2001 to the end of 2002 and covered the presidential election period. The perpetrators remained the ZANU-PF supporters with the support of the government, using its security forces and ensuring that its supporters were not arrested. The government contributed money to maintain perpetrators of

violence and transport to cover the whole country. The MDC and its supporters were made the enemy of the state without doing anything wrong. They had no means for violence to defend themselves against their attackers because the army and the police were their enemies as well. They showed no will to challenge the state in a similar way, except defend themselves where they could. They also relied on police and courts which were not meant for them.

The MDC was, once again, not allowed to campaign freely for the April 2002 presidential election while the ZANU-PF had all the support it needed from government resources, which included funds, state media and military vehicles. Journalists were harassed for taking pictures and reporting what was happening in Zimbabwe. This was intended to create news blackout to the international community in order to curtail criticism for violation of human rights and lack of democracy. This, however, did not work because the journalists remained active and reported what was happening in Zimbabwe worldwide.

Violence against the MDC did not only take place before and after the presidential election, but during as well. War veterans and ZANU-PF militia camped next to the polling stations in order to prove to the MDC and its supporters that they were not going to be allowed to vote as they wished. This intimidation did not end there, but the supporters of the MDC were compelled to vote for the ZANU-PF or face death. These supporters were prepared to face death in order to promote the wish of their leader, Morgan Tsvangirai, because they still voted for the MDC.

The ZANU-PF party saw cheating as the only option left after violence and intimidation failed to force the MDC supporters to vote in its favour. Electoral officials, monitors, international observers and party agents were not allowed to accompany the ballot boxes to counting centres. This move was to ensure that only reliable ZANU-PF officials accompanied these boxes and in the process, removed some MDC votes while adding some ZANU-PF votes. At the counting centres, the ZANU-PF party ensured that there was no interference with its counting that would obviate cheating. This ensured that only President Mugabe won the presidential election. As a result, the ZANU-PF party won the election by 57 per cent and President Mugabe became the president for another term once again.

### **The role of SADC in Southern Africa**

Zimbabwe is one of the signatories to SADC Treaty and Protocol on Politics, Defence and Security Co-operation. SADC exists, among other things, to protect universal human rights, rule of law and democracy (SADC Treaty Chapter 3 (4) (c)). It realised that conflicts in Southern Africa can exist between states (inter-state) and between the government and its opposition in one state (Article 2 (a) of the Protocol on Politics, Defence and Security Co-operation or the Organ). The Organ is tasked to establish institutions that would enable it to prevent, contain and resolve inter and intra-state conflicts by peaceful means (article 2(e)) and use force as a matter of last resort where peaceful means have failed (2 (f)). The protocol is also tasked to promote the development of democratic institutions and practices within member states and encourage observance of universal human rights (2 (g)), develop peacekeeping capacity of national defence forces and co-ordinate

participation of state parties in international and regional peacekeeping operations (2 (k)). Peacekeeping is achieved through the Inter-State Defence and Security Committee of the Organ, which has the chiefs of defence and commissioners of police as members.

The methods employed by the Organ to prevent, manage and resolve conflict by peaceful means are to include preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal. The Organ is to establish an early warning system (EWS) in order to facilitate timeous action to prevent the outbreak and escalation of conflict. Where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Committee may recommend to the Summit that enforcement action be taken against one or more of the disputant parties. The Summit is to resort to enforcement action only as a matter of last resort and, in accordance with Article 53 of the UN Charter, only with the authorisation of the UN Security Council.

Inadequate and corrupt land distribution in Zimbabwe between 1980 and 1998, combined with illegal farm occupations and poor economic performance in the 1990s are supposed to have been early indicators that violence was looming in that country to SADC, especially in 1999. SADC's EWS does not work because it does not exist as yet. This cripples SADC's ability to pre-empt violence and act while no life has been lost.

Lack of the EWS is not a sufficient reason for SADC not to have acted to prevent further violence and ensure free elections in 2000 to 2002. Media

reports should have been considered as sufficient reasons for SADC to send a team to monitor and report what was happening in Zimbabwe as early as 1999. SADC leaders actually knew what was happening in Zimbabwe because President Chissano was interested in Britain providing funds to Zimbabwe to solve the land issue, not the entire conflict in April 2000. He made his statement to the media, talking on behalf of SADC as the Chair at the time. President Chissano never addressed violence perpetrated by the Zimbabwe government against the MDC party and supporters. This would have identified polarity that existed between the people and the ZANU-PF government regarding land redistribution and the poor economic state. This was the ideal stage for SADC to implement its Organ's protocol.

President Chissano was the ideal person in 2000 to appoint a SADC team to investigate violence in Zimbabwe and report back for further action. Such a team should have come up with steps to prevent the escalation of violence to uncontrollable levels, failure of which a peacekeeping force or sanctions should have been implemented to enforce peace and security in that country. SADC is authorised to intervene in any member country and prevent breach of peace and security, or to ensure that democracy prevails.

Lack of decisive action by SADC in Zimbabwe allowed ZANU-PF to use violence and cheat to win both 2000 and 2002 elections, knowing that it would not be forced to observe SADC Treaty and concerned protocols as a requirement. Mugabe used laws that were in his party's favour, made life for the MDC party difficult by killing, injuring, raping and unlawfully arresting its leaders and supporters. While ZANU-PF could campaign freely, from the referendum to 2002 elections, the MDC was forced not to campaign and this

violated the SADC's Treaty regarding democracy, rule of law, existence of democratic institutions and promotion of human rights.

Although there was a land reform programme aimed at distributing the whites' farms to the needy black Zimbabweans, its execution was not based on orderly and legal disposition. The war veterans and the ZANU-PF supporters occupied the farms and distributed them the way they wanted without interference from the government, which was an additional indication to SADC that there was a conflict in Zimbabwe perpetrated by the government against a portion of its defenceless citizens. Dispossessing whites of their farms without compensation and killing or injuring some of them was violation of human rights. This was totally ignored by SADC, just like the plight of black Zimbabweans who were MDC supporters.

Killing, raping, harassing, intimidation, illegal arrests and prevention from voting were enough evidence that violence was taking place in Zimbabwe in 2000 up to 2002. This needed urgent SADC intervention as early as a month after the referendum. SADC stands for peace and security, but could not exercise its powers against the Zimbabwe government, as the study has shown.

SADC leaders gave President Mugabe a clear signal that they were not worried about his violation of human rights against the MDC supporters in 2000. This was indicated by President Chissano of Mozambique when he stated that Britain should give Zimbabwe money to buy land from white farmers (as indicated earlier). In 2001 the SADC Summit in Blantyre decided to focus on the state of economy in Zimbabwe, instead of acknowledging that violence existed. SADC leaders chose to ignore violence because that would



have forced them to make plans to bring about peace in Zimbabwe. It looks as if no SADC leader was prepared to face President Mugabe and tell him that he was responsible for violence in his country. SADC leaders as a group were also not prepared to blame President Mugabe for violence in his country. If all SADC leaders spoke in one voice against President Mugabe against violence, violence might have reduced in Zimbabwe because that might have signalled the willingness to pull together against that country.

In November 2001 President Mbeki started criticising Mugabe and ZANU-PF for violence in Zimbabwe. He stated his criticism as the President of South Africa and not as a SADC leader. President Mbeki also blamed the chief of Zimbabwe Defence Force for stating that he would not support Tsvangirai if he won elections in 2000. In December 2001 SADC ministers stated that they opposed the sanctions the EU was implementing against Zimbabwe. This statement was made to prove that these ministers did not support statements made by President Mbeki in November 2001, but supported all statements made by SADC leaders in Blantyre and earlier. These statements meant that SADC ministers simply did not agree with President Mbeki that President Mugabe and his government were to blame for violence in Zimbabwe.

Eventually, in January 2002 Mugabe accepted the blame for violence in Zimbabwe and assured the SADC Summit that he would allow the rule of law in his country. This acceptance did not change anything because MDC supporters faced violence more than before, in preparation for presidential election later that year. SADC's own observers from South Africa were attacked and injured by the ZANU-PF supporters while covering the election.

After the ZANU-PF supporters and President Mugabe ensured that he won the 2002 election at all costs and violated SADC Treaty and the Organ's protocol more than before, SADC observers and leaders declared that the election was free and fair.

### **SADC's ability to keep peace**

Lesotho is a country that experienced political tension and conflict since the first election after independence in 1970. Politicians were not prepared to accept defeat. This happened also in 1998 when the BCP refused to accept defeat by the LCD of Prime Minister Phakalitha Mosilili. The kings of Lesotho never played any meaningful role in uniting people and politicians to limit political intolerance.

Lack of political maturity among politicians incited the Lesotho Defence Force to take over the leadership of the country. This led to mutiny and take over of government by the general officers that were usually the chiefs of defence, or junior officers from their senior officers.

There was violence that threatened lives of politicians and senior military officers as a result of refusal to accept election results by the former ruling party, the BCP in 1998. Violence was in the form of looting by the Basotho, which left Maseru burning. Both the soldiers and police were not in a position to arrest the rioting. Junior officers mutinied and in the process, locked up or expelled their senior officers. This was an indication that a coup was about to take place in Lesotho. This also indicated that the junior officers expected their senior officers to take the government over as early as when disagreements between the political parties started regarding the election

results. In the absence of any action by their seniors, they seized arms and ammunition, and started making the country ungovernable.

SADC intervened in Lesotho after a request by her Prime Minister, Phakalitha Mosilili in 1998 to do so. SADC enforced its Treaty and Protocol on Politics, Defence and Security Co-operation by tasking South Africa and Botswana to put together a force of a battalion strength to enforce peace in Lesotho. South African forces were the first to enter Lesotho and the only to have casualties - dead and injured soldiers. SADC forces occupied Lesotho and fought the dissident soldiers, and thereafter stopped looting and arson. SADC forces were able to restore law and order, and prepare the climate for the re-instating of the ruling party.

General Nyanda, Chief of the South African National Defence Force, indicated his abilities to give the right strategic objectives so that the peacekeeping forces were focused in their actions. Both the commanders from Botswana and South Africa, including troops under command, indicated a high level of discipline, professionalism and ability to keep peace in the presence of danger. This is indicative of the fact that individual countries do peacekeeping training and also train together to sharpen their skills.

This intervention was supposed to be a lesson to Southern African states that SADC was not prepared to tolerate lack of democracy, breach of peace and security, and violation of human rights. However, it did not because this happened in Zimbabwe in 2000 to 2002 without any punitive actions by SADC.

## **Conclusion**

Lack of peace in Zimbabwe went through all stages from crisis in the late 1980s to the early 1990s, tension in mid to late 1990s to violence in 2000 to 2002. SADC exists to ensure peace and stability, but has not been able to do so in Zimbabwe up to 2002.

SADC indicated its ability to enforce peace when it successfully intervened in Lesotho in 1998. Although the Prime Minister of Lesotho requested SADC to intervene in his country and restore law and order, SADC could have intervened without any request because it is allowed to do so by the Protocol on Politics, Defence and Security Co-operation. The happenings in Zimbabwe are indicative of presence of questions whether SADC would have intervened in Lesotho if her Prime Minister did not request so. Lesotho peacekeeping operation was the first and successful SADC peace mission.

## CHAPTER 6

### CONCLUSION AND RECOMMENDATIONS

#### Introduction

The previous chapter dealt with the critical analysis on the study of violence in Zimbabwe, the role of SADC in Southern Africa and why it intervened in Lesotho in 1998. Chapter 6 will make a conclusion about what happened in Zimbabwe and what needs to be done in order to prevent it from recurring in any part of Southern Africa in future.

The research aimed to prove that violence existed in Zimbabwe in 2000 to 2002. It also aimed to find out whether SADC ought to have done something to prevent the escalation of violence and to find out whether this organisation has the necessary mandate and capacity to intervene in violent and non-violent conflicts in Southern Africa. The expected outcome was that SADC lacks support from member states to act in solving intra and inter-state conflicts, lacks the necessary military muscle to flex against member states who are not willing acting in accordance with agreed standards and that its structure for dealing with conflict needs to be re-organised in order to enable it to do what it exists for.

The main source of data was secondary data available in libraries, internet and personal experience. Secondary sources were used to gather data on SADC, tension in Zimbabwe and the history of Lesotho from independence to the 1998 SADC intervention.

## Conclusion

The poor land redistribution programme undertaken by the Zimbabwe government since independence to 1999 and the poor state of the economy were the main causes of tension in Zimbabwe in 2000. The land issue was allowed to become violent conflict because the Zimbabwe government did not vigorously pursue more whites' farms for distribution as early as 1980 onwards. The government was prevented by the British government from pursuing vigorous distribution of the whites' farms because it had money which the Zimbabwe government needed for development in that country and could not do without. The Zimbabwe government failed to acquire more farms after the expiry of the 10 years moratorium on acquisition of whites' farms on willing buyer and willing seller at full market price because it still needed funds from Britain for its economic survival.

The poor performance of the economy meant that revenue for the state was decreased, thus increasing dependency from donors for funding to supply the services needed by the people and even pay the civil servants their salaries. This is the reason why the IMF was able to manipulate the Zimbabwe government to do as it wished. No matter what the Zimbabwe government did to implement the structural adjustment programme recommended by the IMF, the economy worsened and so were the revenues. The IMF never took the blame for the destruction of the Zimbabwe economy, but it played a big role in it. The IMF is one of the institutions controlled by rich western countries such as Britain and the USA, which were donors to Zimbabwe as well. President Mugabe worsened his country's economy by not controlling the use of money for the right purposes in most cases. This

was demonstrated by the compensation given to war veterans in 1993, which ended by enriching his senior government officials. He had to announce another compensation for the war veterans in 1997 because the first one did not reach its intended target. He also worsened the economic situation by deploying his soldiers to the DRC in 1999.

The preparedness of the war veterans to champion the violent occupation of the whites' farms and the intimidation, and killing of the MDC supporters in order to ensure that the MDC was prevented from winning any elections in Zimbabwe led directly to violence in 2000 to 2002.

Structural conflict existed in Zimbabwe as a result of President Mugabe's unwillingness to give up the political reigns during and after the referendum defeat, and both the 2000 and 2002 elections (Chapter 3 and Chapter 5). The government of Zimbabwe used its supporters to ensure that its strong opponents, the MDC, were denied the chance to win the elections at all costs. President Mugabe himself sanctioned this violence by declaring the MDC party and its supporters as the enemies of the state for opposing the new constitution. President Mugabe sanctioned violence against the MDC by providing money and transport to sustain the war veterans, and not taking actions against them for killing or injuring people. He also promoted violence by passing laws that were calculated to make the MDC fail to campaign and be detained for continuing to campaign when only the government was allowed by its law to do so.

The Zimbabwe violence went through the conflict cycle from tension, crisis to violence without any interference from SADC or any other body to ensure that peace returns and life normalise in that country. SADC is a sub-

regional organisation tasked with ensuring that peace, security and democracy prevail among its member states. It did this task very well in Lesotho in 1998, but showed no interest in doing so when there was violence in Zimbabwe from 2000 to 2002.

President Mugabe did not win the general election in 2000. Neither did he win the presidential election of 2002. He used violence to reduce the votes in favour of the MDC, but this party remained the credible challenger to the ZANU-PF amid all forms of violence and vote fraud. This indicates that the MDC would have won the majority vote, should the elections have been free of violence and election fraud.

There was gross violation of human rights perpetrated by the ZANU-PF party of President Robert Mugabe against the MDC party of Morgan Tsvangirai. The police and soldiers took part in violence against the MDC supporters. The MDC supporters had nowhere to go for protection against abuse because all state institutions, including justice, were working for and in favour of the state.

SADC leaders feared President Mugabe and they were not prepared to tell him face-to-face that he caused violence and that he had to carry the blame for it. SADC Treaty and Protocol on Politics, Defence and Security Co-operation empower it to act against any member state which violates peace within its territory or against another member country. SADC protocol specifies the use of peaceful and coercive means to enforce compliance with the requirements for peace to exist. SADC has the capacity to intervene in member states although it does not have a dedicated peacekeeping force of



its own. It relies on member states that are able to put together a force for that purpose as demonstrated in 1998 in Lesotho (Chapter 4).

SADC should have intervened in Zimbabwe as early as 2000 before the referendum vote to ensure that it was based on universal democratic principles, which are also adopted by SADC (Chapter 2). SADC should have applied pressure to Zimbabwe to ensure that violence against white farmers and their workers did not accompany compulsory land acquisitions. It would have been difficult to expect SADC to force the Zimbabwe government not to acquire farms from the whites without compensation because this would have meant that SADC stands with the whites and want them to remain rich at the expense of the blacks. This is more so because SADC member countries such as South Africa and Namibia have similar problems with Zimbabwe regarding more fertile land still owned by whites.

SADC failed to be observe the campaigning, voter education and the actual elections in 2000 and 2002. In 2002 its observers were prevented from monitoring the elections. They were attacked and got injured in he process. Out of all SADC and other observers, ZANU-PF supporters targeted South African observers because President Thabo Mbeki made a statement in 2000 that President Mugabe had to blame for the violence in Zimbabwe. SADC was mistaken in announcing that the elections were free and fair knowing that the ZANU-PF supporters and war veterans attacked and killed or injured the MDC supporters in order to prevent them from voting. The war veterans and other ZANU-PF militia camped near the polling stations in 2002 to intimidate the MDC supporters. All this violated the SADC Treaty, but SADC was not prepared to acknowledge violence. SADC made a statement quietly that

President Mugabe was free to do as he wished to ensure that he won the elections, as a result and which he did.

SADC behaviour or inaction in Zimbabwe sent a signal to Southern Africa and the rest of the world that it was not capable of executing its tasks against its bigger member states, but was effective against the smaller ones. This was demonstrated by the successful invasion of Lesotho in 1998 to restore peace and also deliberate inaction in Zimbabwe in 2000 to 2002. Zimbabwe is regarded as the second biggest and stronger country after South Africa in Southern Africa. The strength of the country is not supposed to be an issue when it comes to the enforcement of the Treaty or the protocol of the Organ. The Zimbabwe situation was supposed to be used as a lesson to the rest of SADC countries, should they have wished to follow the Zimbabwe path in order to deter them, using the collective SADC power. SADC missed the important opportunity which would have ensured peace for a longer time in Southern Africa. This failure might contribute towards future political instability in Southern Africa, unless the leaders change their mind and effectively take charge of any tension, crisis or violence that might still exist in Zimbabwe or any other Southern African state and act decisively to bring it to an end.

The conclusion supports the research hypotheses set in Chapter 1. There is a slight difference from what the expected outcome of the study stated. The study found that SADC has the military muscle to flex against the members who are not acting in accordance with the agreed standards. This muscle is in the form of forces under command of member states' defence forces. SADC is able to task certain member countries to put together an adequate force to deal with any peacekeeping activity in Southern Africa as it

did in Lesotho in 1998 (Chapter 4). This is not a stand-by force as the Protocol on Politics, Defence and Security Co-operation demands, but it works so far. The study also found that this muscle works only if the summit is committed in bringing about peace in Southern Africa. It has been proven that there was no will to flex this muscle against Zimbabwe since violence started in 2000.

Maroleng (Chapter 1) in the literature review found that the origins and nature of crisis in Zimbabwe were failure of the independence leadership to transform the repressive colonial state structure into a democratic institution; dismal failure of the IMF/World Bank structural adjustment policies which resulted in the mass impoverishment of Zimbabweans; the capture of state by corrupt, self-seeking and authoritarian political elite; and the culture of intolerance and impunity exercised by President Robert Mugabe. These findings are confirmed by this study with other additional findings.

Nondo found that SADC intervened in Lesotho in 1998, but is quiet about Zimbabwe. This study confirms what Nondo found about SADC and the situation in Zimbabwe in 2000 up to 2002.

### **Recommendations**

SADC should have a Commission of Inquiry, like the Lesotho's Langa Commission in Lesotho, to investigate how gross violations of human rights took place in Zimbabwe, who are the people whose rights were violated, who are to blame and what actions need to be taken against them.

For proper management of peace in Southern Africa, there should be an existing and known conflict early warning system deployed in all member countries and functioning 24 hours that is effective and efficient. There should

be a central office that works 24 hours and monitor conflict early warning centres around the sub-region. The central office should be in direct contact with the Organ on Politics, Defence and Security Co-operation which should be able to act swiftly in intervening and solving the conflict peacefully in any member country.

SADC should have a list of able individuals who could be used in peacefully solving any conflict before it escalates to violence. Having a roster that specifies who are the members on stand-by for a particular month or months would help to ensure that swift actions are taken against any situation. This should not be difficult since a number of people have already shown a lot of interest and have taken part in negotiating for peace in different situations around the world, especially the continent of Africa. Available sources within SADC and AU should be considered.

The clause of non-interference in internal affairs of member states needs to be removed from the preamble of the protocol on Politics, Defence and Security Co-operation because it hinders solution of internal conflicts, unless it is qualified. This is so because it can be used as a useless excuse in intervening in situations such as that of Zimbabwe.

SADC should use its clauses of promoting democracy among member states to take part in preparations for elections, campaigning by different political parties, voter education, monitoring of the election day, the counting of the votes and the confirmation of announced results. This will ensure that democracy is promoted and maintained in Southern Africa.

In promoting the rule of law, SADC should ensure that security forces in member countries are non-partisan so that they maintain law and order

without fear or favour. There should be a clause that compels member countries to that effect. Decisions are taken by consensus and are not always easy to implement, but the organisation's leadership should attempt to convince members that this would be in their favour. It would prevent comments such as those made by the Chief of Zimbabwe Defence Force against Tsvangirai regarding the 2002 elections. The chief said that he was not prepared to have a president who did not serve in liberation struggle. This meant that there would have been a coup, should Tsvangirai have won the presidential election (Chapter 3).

The blame for gross violation of international human rights should be put on President Robert Mugabe as the man who had powers to restore law and order in Zimbabwe without favour, but deliberately failed to do so. He should be blamed for being undemocratic and the use of oppressive colonial laws against his opponents.

SADC needs to have a stand-by force of a brigade strength for peacekeeping and peace enforcement operations within the sub-region. This should be a balanced force consisting of two Motorised Infantry Battalions (peacekeeping and enforcement); one Mechanised Infantry Battalion (peacekeeping and enforcement); one Tank Battalion (peace enforcement); one Artillery Battalion (peace enforcement); one Reconnaissance Battalion (for combat reconnaissance during peacekeeping and enforcement) with armoured scout cars; Special Forces Company (for gathering peacekeeping and peace enforcement intelligence); one Signal Regiment (for communication purposes); three Helicopter Squadrons (one should be a Transporter Squadron and others should be Fighter Squadrons - for

peacekeeping and enforcement); three Fighter Squadrons (to patrol the skies during peace enforcement and also to enforce sanctions); and a Navy Task Group (peacekeeping, peace enforcement and enforcement of maritime sanctions).

This force should be under the direct control of the Troika in terms of tasking, but managed by the Inter-State Defence and Security Committee in terms of readiness and mission-specific orders. Member states should be asked to make available specific and complete battalions or squadrons, which they maintain for their own defence, but make immediately available when SADC calls. The force must be properly equipped and staffed to be capable of enforcing and keeping peace within the sub-region. This ability will enable SADC to create an atmosphere where peace and stability exist for economic development to take place without fear in Southern Africa. This force will fit well with the requirements by the AU to have a stand-by brigade per sub-regional organisation, which it could use in peacekeeping in the continent. It would help to keep this force within Southern Africa, whether under SADC or AU for any particular mission. The force should also be flexible enough for deployment anywhere in the continent, as long as there is no conflict in Southern Africa and AU or UN pays for the bill for deployment in full.

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