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**Challenges and prospects of Regionalism: The case of SADC and
Zimbabwe**

By

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DECLARATION- PLAGIARISM

I, Siboniso Nkululeko Ralph Mkhize, declare that:

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Signed

.....

DEDICATION

I dedicate this work to my late Mother, Caroline T Ngcobo; you transitioned just a few weeks before you could see this work, but I know you are watching.

This work is also dedicated to the Biyela, Mkhize and Ngcobo families, including those that I have walked with but have now transitioned into being my ancestors.

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ABSTRACT

Regionalism has yielded positive results for the developed West, specifically for the deeply integrated European Union. This has not necessarily been the case for Africa, as there have been mixed results for the continent's regional integration projects, the majority of which are failing to fully implement their mandate. Africa's history is well-documented, but the main challenge for African countries is to wrestle themselves away from their current situation. Regionalism is seen as the panacea to the challenges that Africa is facing, particularly widespread poverty, ailing economies, underdevelopment, poor infrastructure, unstable governments, prolonged conflicts, out-of-control pandemics and other challenges plaguing the periphery states. Given the continued backwardness of African states, questions have been posed on the effectiveness of regionalism in addressing the challenges Africa is facing. This research aims to look at one of Africa's regional integration projects, namely SADC. This study investigates the impact of the regional organization on its member states, more specifically Zimbabwe over the years as it went through a period of crisis. This research seeks to expose some of the achievements and some shortfalls of regionalism in Africa. The aim of the study is to show that even though it has had its challenges, regionalism is good for Africa. The SADC itself is also plagued with challenges that are prohibiting it from fully carrying out its mandate; so, the research also seeks to examine SADC as an institution and how it could be strengthened in order to carry out its mandate. The idea of applying African solutions to African problems is central to this study because what has worked in Europe may not necessarily be applicable to the African scenario. It is key for the study to determine how regionalism is being applied and adapted to African context. Based on what the research aims to cover it will be a qualitative research which will mainly use thematic analysis and iterative qualitative analysis for data analysis. Quantitative data will also be used to substantiate some points that require numbers and figures. The main theoretical frameworks that are used are Neofunctionalism, Intergovernmentalism, and the political economy of regionalism. One of the main findings of the research found that although there has been progress with regionalism with SADC, it is however happening at a slow pace because of the lack of commitment that member states are to the cause.

ACRONYMS AND ABBREVIATIONS

- AEC: African Economic Communities
- AGOA: African Growth and Opportunity Act
- AIPPA: Access to Information and Protection of Privacy Act
- AMU: Arab Maghreb Union
- ANC: African National Congress
- ASEAN: Association of Southeast Asian Nations
- AU: African Union
- CDP: Committee for Development Planning
- CEN-SAD: Community of Sahel–Saharan States
- COMESA: Common Market for Eastern and Southern Africa
- CONSAS: Constellation of Southern African States
- COSATU: Congress of South African Trade Unions
- DTI: Department of Trade and Industry
- EAC: East African Community
- EBA: Everything But Arms
- ECCAS: Economic Community of Central African States
- ECOWAS: Economic Community of West African States
- ECSC: European Coal and Steel Community
- EEC: European Economic Community
- EFTA: European Free Trade Association
- EMU: European Monetary Union
- EPA: Economic Partnership Agreement
- EPAs: Economic Partnership Agreements
- EU: European Union
- FDI: Foreign Direct Investment
- FTA: Free Trade Area
- FTLRP: Fast Track Land Reform Programme
- GDP: Gross Domestic Product
- GPA: Global Political Agreement
- GSP: Generalized Scheme of Preferences
- IGAD: Intergovernmental Authority on Development
- IGADD: Intergovernmental Authority on Drought and Development
- IMF: International Monetary Fund
- IPDC: Inter-State Politics and Diplomacy Committee
- ISDSC: Inter-State Defence and Security Committee
- LDCs: Least Developed Countries
- MDC: Movement for Democratic Change
- MDP: Mutual Defence Pact
- MFN: Most-Favoured Clause
- MoU: Memorandum of Understanding
- NAFTA: North American Free Trade Agreement
- NTBs: Non-Tariff Barriers
- OAU: Organisation of African Unity
- OVCY: Orphans, Vulnerable Children and Youth
- PTA: Preferential Trade Agreements
- RECs: Regional Economic Communities
- RI: Regional Integration
- RIAs: Regional Integration Agreements

- RISDP: Regional Indicative Strategic Development Plan
- RTA: Regional Trade Agreements
- SA: South Africa
- SACU: Southern African Customs Union
- SADC: Southern African Development Community
- SADCC: Southern African Development Coordination Conference
- SAPP: Southern African Power Pool
- SARPCCO: Southern African Regional Police Chiefs Co-operation Organisation
- SATCC: Southern Africa Transport and Communication Coordinating
- STERP: Short-Term Emergency Recovery Programme
- TDCA: Trade Development and Cooperation Agreement
- TFTA: Tripartite Free Trade Agreement
- TIDCA: Trade Investment and Development Cooperative Agreement
- TIPS: Trade & Industry Policy Strategies
- UK: United Kingdom
- USA: United States of America
- WTO: World Trade Organization
- ZANU-PF: Zimbabwe African National Union-Patriotic Front

LIST OF TABLES

Table 1: REC Integration ratings	80
Table 3: Exports of goods and services as a share of GDP in SADC Member States, 2008–2017	93
Table 4: Doing Business 2006, 2010, 2014 and 2015 rankings	94
Table 5: Doing Business Rankings between 2009-2019	95
Table 6: SADC members and other RECs they are members of	102

LIST OF FIGURES

Figure 1: SADC Institutional Framework	50
Figure 2: Share of GDP for the region by each member state	54
Figure 3: 2019 ARII for SADC	79
Figure 4: 2016 ARII for SADC	79

TABLE OF CONTENTS

DECLARATION- PLAGIARISM.....	ii
DEDICATION	iii
ACKNOWLEDGEMENTS	iv
ABSTRACT	v
ACRONYMS AND ABBREVIATIONS	vi
LIST OF TABLES	viii
LIST OF FIGURES.....	viii
TABLE OF CONTENTS	ix
CHAPTER ONE	1
RESEARCHING REGIONALISM IN SADC REGION.....	1
1.1 Background and introduction	1
1.2 Preliminary literature study and reasons for choosing the topic	5
1.3 Research problem.....	6
1.4 SADC and Zimbabwe as the case study.....	8
1.5 Regional integration as a tool.....	14
1.6 Aims and objectives of the research	16
1.6.1 Aims of the research	16
1.6.2 Objectives of the research.....	18
1.6.2 Key research questions to be answered	19
1.7 Research design and methodology.....	20
1.8 Limitations of the study and contributions to the field.....	21
1.9 Structure of the dissertation	22
CHAPTER TWO.....	24
CONCEPTUAL AND THEORETICAL FRAMEWORK.....	24
2.1 Introduction	24
2.2 Background to Intergovernmentalism and Neofunctionalism	25
2.3 Intergovernmentalism.....	29
2.4 The Political Economy of Regionalism	31
2.5 Regionalism: Old and new regionalism	36
2.6 Pan-Africanism, the OAU and waves of African regional integration	41
2.7 Conclusion	46
CHAPTER THREE	48

THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)	48
3.1 Introduction	48
3.2 SADC membership	48
3.3 SADC's institutional and organizational structures.....	49
3.4 South Africa's hegemony in SADC	53
3.5 Overview of issues facing SADC members states	55
3.6 Regionalism challenges in SADC	57
3.7 Challenges facing SADC's economic integration	65
3.8 SADC's political and security cooperation and associated challenges	71
3.9 Conclusion	75
CHAPTER FOUR.....	77
SADC'S ECONOMIC INTEGRATION PROJECT	77
4.1 Introduction	77
4.2 Performance of SADC's regional integration.....	79
4.3 SADC's integration and institutional power	88
4.4 The effects of globalisation and deviation from regionalism.....	93
4.5 The effects of dual memberships and the challenges they bring	101
4.6 Significance of the fall of the SADC Tribunal	108
4.7 Notable successes and prospects of regionalism in SADC.....	113
4.8 Uniting for power.....	120
4.9 Conclusion	121
CHAPTER 5	123
SADC AND THE ZIMBABWEAN CRISIS.....	123
5.1 Introduction	123
5.2 Considering the Zimbabwean crisis, its local and regional dimensions.....	124
5.3 Dollarisation of Zimbabwe's economy	127
5.4 Zimbabwean crisis and SADC's mediation	131
5.5 Other mediation efforts comparable to Zimbabwe	140
5.5.1 The Global Political Agreement (GPA).....	142
5.5.2 Zimbabwe beyond the crisis.....	145
5.5.3 Relations between President Robert Mugabe and Botswana	146
5.6 SADC at the institutional level.....	149
5.7 Conclusion	152
CHAPTER 6	153
SUMMARY AND CONCLUSION	153

6.1 Introduction	153
6.2 SADC's challenges and opportunities	154
6.3 SADC's position on Zimbabwe.....	157
6.4 SADC's integration.....	159
6.5 Recommendations for SADC	161
REFERENCES.....	164

CHAPTER ONE

RESEARCHING REGIONALISM IN SADC REGION

1.1 Background and introduction

Regionalism along with regional integration are not new phenomena in Africa. Their rudiments can be traced to the pre-colonial era of African empires. Dinka and Kennes (2007) posit that the period between the 1930s and the 1940s saw a rise in Pan-Africanist movements that instigated the liberation of Africa through the same unity that manifests itself in regionalism. Even before the advent of Pan-Africanism and regionalism, the Southern African Customs Union (SACU) was established in 1910. This was not a spontaneous creation; however, it was the offspring of the Customs Union Convention, a union between the British colony of the Cape of Good Hope and the Orange Free State Boer Republic. After its transformation, SACU incorporated South Africa, Namibia and the former British High Commission Territories - which are Botswana, Lesotho, and Swaziland (referred to as BLS nowadays).

The main purpose of SACU was to facilitate economic development by stimulating regional coordination for trade and the movement of goods (SACU, 2013). SACU was an integrative initiative driven by the colonial project, but the post-colonial period witnessed the emergence of African regional projects; the Organization of African Unity (OAU) in 1963, the Economic Community of Central African States (ECCAS) in 1964, and the Economic Community of West African States (ECOWAS) in 1975. Comparatively, Europe, and the colonial establishment in Africa, entered into regionalism of their own much later. However, the European Union has now arguably been the most advanced form of regionalism in the global community, and it continues to serve as a template of as well as an inspiration to contemporary regionalism and regional integration (RI) initiatives.

The late Libyan President Muammar Gaddafi and former South African President Thabo Mbeki had different views on how to unite Africa ahead of the formation of the African Union (AU), formerly the Organisation of African Unity (OAU). On the one

hand, President Gaddafi was lobbying for a somewhat greater African unity, which would have resulted in the creation of what he envisaged as the 'United States of Africa'. This proposal entailed a rather rapid integration of African states. On the other hand, President Thabo Mbeki favoured a much more gradual integration process – with baby steps, which would place African states in this vast continent into a gradual road to full integration. As things turned out, most African states preferred the latter approach. It was thus proposed, prior to the desired United States of Africa as the union was being launched, that sub-regional blocs ought to be the catalyst and the stepping-stones for the bigger AU body to succeed. Regional agreements are the first step towards regionalism, something that Africa is aiming to achieve.

The adage 'unity is strength' is the very premise on which regionalism is rooted. In this sense, regionalism translates to states having the capacity to do and achieve more in unity than they would do if they acted individually. The solidarity that manifested in the fight against colonial and neo-colonial powers, in dealing with national structural problems, and many other challenges, attests to the fact that African states have no choice but to work together. Of course, the RI process is much more complex than this claim suggests; for instance, it involves finding common ground and interests among multiple states with divergent, and at times competing needs, interests, and aspirations. These countries do not necessarily share the same history and structural conditions when it comes to colonisation, neither do they share the same level of post-independence development. The Southern African Development Community (SADC) is one such regionalism project, which consists of unique states with different challenges and histories.

As noted above, the ideal RI model for African states is clearly the European Union (EU) experiment, which is market-led. Despite the challenges affecting it, the EU has been able to not only foster economic integration but has also been able to create freedom of movement between its member states. The EU is ideal for Africa in that the EU's creation stemmed from rebuilding after World War 2, and fact that Africa is also in the post-colonial rebuilding phase. There is a huge difference between the two regions not only in terms of member states, but also in the context of rebuilding the region, the EU offers the best way to fight the challenges that African states are facing. The EU regional bloc is not without its fair share of problems. British historian,

Niall Ferguson (2013) argues that the EU has failed, pointing to the fact that its economic growth has been declining ever since its creation, adding that the EU's project has lost political legitimacy as the people of Ireland voted twice against further integration in 2001 and 2008, respectively. The recent financial crisis in Greece also signifies that the EU is a troubled union, not to mention the 2016 referendum by British people that saw Britain opting out of the EU under what is termed the 'Brexit'. The Greek financial crisis almost threatened the entire Eurozone because Greece was not going to be able to repay its debts, and only the EU agreeing on further loans for member states helped remedy the situation. Even though the EU is going through these challenges, it still suffices to assert that it is one of the deepest and most advanced form of regionalism the global community has ever created. The Southern African Development Community (SADC) replicates such an experiment as a regionalism project that is housed under the African Union (AU) umbrella.

It is evident that sub-regional bodies are on the rise on the African continent, at times with overlapping initiatives or blocs – creating dual memberships for states. For example, some SADC member states also have memberships in other regional organizations, namely ECOWAS, COMESA, SACU and other African sub-regional organizations. This is suggestive of the existence of overlapping memberships in which member states are involved. Each of the Regional Economic Communities offer varying outcomes and benefits member states. For example, Afesorgbor and Bergeijk (2011) argue that ECOWAS members gained more from dual memberships than SADC members and the authors attribute this scenario to the fact that all ECOWAS members only belong to one of two regional trade agreements (RTAs). These two RTAs are the West Africa Economic and Monetary Union (WAEMU) and the West Africa Monetary Zone (WAMZ), which saw ECOWAS member states achieve 0.83% increase in trade. Thus, states assume dual membership owing to perceived gains, which are sometimes short-term and in the long term hurt the organization's progress. Dual membership is not without its own challenges; for example, competing allegiances, conflicting interests, and budgetary constraints.

The fundamental assumption about regionalism is that regional and sub-regional organizations, which are created with the purpose of emulating the success of the European Union (EU), have the potential to bring about development and stability to

particular regions. The African experience is compounded by issues such as widespread political instability, poverty, militant forces that seek political power through violence and coup d'états, civil wars, unstable economies and governments, which all coalesce to cause instability in most African states. In some ways, RI is seen as a panacea to these challenges and problems. Beyond this analysis, RI is deemed a crucial step toward addressing the contemporary challenges of globalisation and global inequality. For example, Lee (2002:2) argues that, "The real challenge before African leaders in the new millennium is to develop a strategy that enhances the political, economic, social, and cultural integration of the continent, while simultaneously ensuring that it is not further marginalized within the world economy".

Like most regionalism undertakings, including AU, SADC is modelled on the EU's market integration project and this model appears to have been adopted despite its own shortcomings.¹ Since SADC is also deemed a step towards AU, it shares a strong affinity with the AU project. Similarly, SADC has relatively the same missions and functions as the AU. Perhaps the only difference is the fact that whilst SADC operates at a sub-regional level, the AU operates at a continental level. It is important that this link is not ignored so as to map out and outline SADC's progress in relation to, and linking these to, what AU aims to achieve, for they have similar goals.

Currently, some of the biggest challenges confronting the SADC sub-region are the ongoing civil war in the Democratic Republic of Congo, the socio-economic and political challenges bedevilling Zimbabwe, and the recent political unrest in Lesotho that manifested in a failed coup d'état. Relationships between the heads of state can also be seen as posing a slight challenge regarding decision-making for the regional body, and this point stems from the fragile relationship between heads of state in Zimbabwe and Botswana. There has certainly been some mudslinging between the two heads of state, and this did not help the already fragile relations that already existed between the two leaders. This fragile relationship was also compounded by the contrasting relationships that the two states had with Western countries.

¹ The EU experiment is by no means the most successful. As the recent developments show, it is increasingly tested.

1.2 Preliminary literature study and reasons for choosing the topic

To date, much of the research on RI appears to essentially focus on how regionalism affects development and the integration of the markets and economies of member states. For instance, studies conducted by Skidmore-Hess and Skidmore-Hess (2013) evaluated SADC and NAFTA as regional models and Aziakpono, Kleimeier and Sander (2012) investigated the drivers of banking market integration between SADC member states. More recent studies include the one conducted by Gwala (2015), who explored South Africa's role in regional integration and the importance of a hegemonic power in an integration project and the other one conducted by Hadebe (2015), who undertook a similar study but specifically investigated South Africa's policy towards SADC. Both studies focused on South Africa's role and attitude towards RI. Gwala (2015) found that even though some member states disapprove South Africa's hegemonic role, this hegemonic power has helped the SADC region to make progress especially when it comes to the market side of integration. Hadebe (2015) shares the same sentiments, arguing that South Africa's hegemonic power is not embraced by the whole region, with the political leadership in Namibia, Botswana and Zimbabwe questioning South Africa's power and the way it utilises it. Since his study focused on South Africa's policy towards the region, Hadebe (2015) concluded that South Africa's policy seeks to strike a balance between getting itself ahead along with the region if that arrangement means that the country will benefit it in the long run.

Zajontz (2013) studied regionalism both in theory and in practice as it applies to the Southern African region, with its effects on civil society. The study concluded that civil society is let down by civil society organizations (CSOs), which are not structurally and institutionally strong enough to reach their full potential, thus not effecting the changes required in civil society in the region. The current study differs from this in that it investigates what regionalism has done, what it is doing and what it would be in the future. Another study by Chideme (2016) investigated the effects of South Africa's trade agreement with the European Union and the effects it had on SADC. Chideme's (2016) study forms part of the discussion this research delves into as it investigates the challenges faced by the SADC region when it comes to its integration progress. Strømnes (2014) also touches on issues around the unwillingness by

SADC member states to fully give up sovereignty to a supranational entity in pursuit of deeper integration. This is also part of a greater discussion this research looks at, because it is one of the biggest impediments to SADC's regional goals.

1.3 Research problem

Problems affecting the Southern African regionalism project are institutional, theoretical and political. They are institutional in that the institutions that exist within SADC institutions are not empowered enough to operate freely without interference from the main SADC Summit body. This institutional problem will be discussed further in the research with a focus on events that have transpired in the SADC tribunal. The theoretical problem comes up as the question is constantly being posed to African regionalism to ascertain whether regionalism is the way to go for Africa. The question is further made complex by the existence of different variations within regionalism itself. Therefore, the question does not only border on whether regionalism is suitable for Africa, but it extends to determine whether the correct form of integration is being undertaken. This point is fully dealt with when the study investigates the viability of SADC's market integration, with the cost and gains being weighed against other forms of integration.

The political aspect of the problem largely manifests in the way individual states exhibit their unwillingness to give up a certain level of sovereignty to SADC as a supranational entity. This poses perhaps one of the most critical problems because giving up a certain level of sovereignty is actually one of the main elements of regionalism. Therefore, the unwillingness of member states to give up a certain degree of sovereignty to the supranational entity is not only impeding the progress of integration but it is also hurting SADC when it comes to implementation of its projects and initiatives. A major example of the consequences that arise from the unwillingness of states to give up that sovereignty will be a big discussion point in a later chapter through investigating the SADC Tribunal, its creation and demise.

Antecedent studies have dealt with regionalism from the perspective of the theoretical aspects of regionalism, the case in point being Zajontz's (2013) study. This has resulted in them failing to fully investigate the effects of regionalism on African states

in their pursuit of the need to create strong and viable economies through regional organizations geared towards improvement of the lives of ordinary Africans. One of the characteristics of regionalism, specifically regional organizations, as Strømnes (2014) points out, is that member states ought to cede a certain degree of sovereignty to a supranational institution. The challenge with African states appears to stem from their colonial past and their newly achieved independence; so, their hesitation regarding the idea of giving up some sovereignty to an external institution is harder in comparison with the experiences of European countries. Much has also been said about the question of regionalism being the best option for African states, as some scholars like Chazan et al. (1999) and Francis (2006) amongst others have dismissed it as a failure in the African context. The slow pace of development amongst African states, as they seek to catch up with the developed world, poses further questions regarding the use of regionalism as the way forward for African states.

This resonates with McCarthy's (1996:230) assertion "that the acceptance of overambitious integration schemes in Africa has not been good policy. Africa needs rapid economic growth and development....even if regional integration could in the end succeed as a formal exercise, sustainable growth will require competitiveness in world markets". Doubts cast on the success of regionalism in Africa are well-documented; however, it is important to note that regionalism is yielding positive results even though it is at a slow pace. This has thus created the reservations as to whether it is the right way to go for Africa. Another major challenge for the Southern African region, which has not been sufficiently covered, is the fact that in trying to find solutions to its challenges, SADC finds itself embroiled in the challenges of regionalism. So, it has become a huge challenge for SADC because the project is aimed at addressing issues within the region but there are also challenges to regionalism that need to be addressed so that the project would be capable to achieving its mission goals.

1.4 SADC and Zimbabwe as the case study

Zimbabwe has been chosen as a case precisely because of the complexity of its problems, which are long-drawn-out, and the active role SADC plays in a bid to address this problem. Zimbabwe offers an interesting case; it is a landlocked country, which means it is reliant on its neighbours for imports and it faces a wide range of challenges of a socio-political and economic nature. It has also been a subject of debate and discussions at special meetings and mediation efforts by SADC through South Africa. The most critical issue Zimbabwe has been facing is the political unrest that occurred during the 2000-2009 period. SADC has been involved in a mediation process in Zimbabwe as a collective entity and also through assigning one head of state to intervene on behalf of the body to bring an end to the prevailing crisis. Since 2002, Zimbabwe has been a victim of sanctions that have been imposed on it by the West (the United States of America, UK and the EU) and its financial institutions (World Bank and IMF) as a way of protesting against what they claimed to be human rights violations allegedly perpetrated by President Mugabe's regime. Undoubtedly, the sanctions and the subsequent divestment of capital have jeopardised Zimbabwe's economy and society. In 2013, SADC called on the Western powers to end these sanctions and subsequently in 2014, the EU eased the sanctions on Zimbabwe, thus configuring questions around SADC's role in Zimbabwe.

It should be noted that it took the regional bloc close to 11 years to address the Zimbabwean crisis and convince Western powers to ease the sanctions they imposed on Zimbabwe as they did not only hurt the elites but also had grave implications on ordinary citizens, creating a weak and unstable economy coupled with the record-rising inflation rate. As much as the regional bloc intervened in Zimbabwe, many observers felt that it did not do enough to ease the situation within the country as most of its mediation and intervention efforts brought little or no results.

Prior to Zimbabwe's 2013 elections, former South African President, Jacob Zuma, was sent by SADC as a facilitator to the opposing political parties in an election that was marred by instances of political violence. The South African President's mediation role in the run-up to the elections in 2012 was quickly labelled as facilitative and not that of a "Babysitter" (Bell, 2012:1). This shows that SADC countries

approach the Zimbabwean crisis with caution, and they do not want to be direct and swift; instead, they tip-toe around, and do not address the issues related to its leadership which leads to the other problems that the country is currently facing. Perhaps this may all be blamed on SADC's crisis management system or lack thereof (this theme is covered later in the upcoming chapter as the study dissects Mbeki's silent diplomacy in his mediation role which was viewed as being ineffective as Zimbabwe continued down the path of ruin).

Worth mentioning is the relationship that exists between ZANU-PF and ANC, and their desire to shield each other and this influences the relations that exist between the leaders of these parties. The relationship that exists between ZANU-PF and the ANC can be attributed to similar colonial histories. However, the relationship that exists between Zimbabwe's leadership and their neighbour, Botswana, it is entirely different. This can also be attributed to their contrasting colonial experiences and this led to strained relations between former President Robert Mugabe with successive Botswana leaders. Though these relations feature as important elements of the regional initiative to mediate and manage the crisis in Zimbabwe, they do occur at the backdrop of a potential national crisis degenerating into a regional crisis. Viewed through this lens, SADC members must consider their own national interests against the backdrop of the potential impact of the crisis on the neighbouring states and the entire region.

Regionalism is seen as a way of bringing a region together for it to overcome regional as well as local challenges. Zimbabwe faces a significant number of challenges with local and regional implications. This research is thus bent on identifying and examining the role or roles played by SADC as a form of regionalism in resolving the challenges and the crisis in the neighbourhood. The study further explores the challenges and prospects that lay ahead. With the appointment of Zimbabwe's President to the SADC Chairmanship during the period of turmoil in his country (and also the ousting of President Robert Mugabe from the presidency in 2017)², it also

² It should be noted that this is still early days to determine the broader dimensions of this change, yet worth considering as a tentative assessment.

becomes interesting to see if in that period there was a shift in the ways in which the region approached the situation and challenges in Zimbabwe.

As President Robert Mugabe was busy instituting a turnaround strategy for Zimbabwe in 2013, he sought to revive the late Libyan President Muammar Gaddafi's idea of a 'United States of Africa' by suggesting that a new African Union (AU) Chairman was "needed to move Africa beyond regional blocs and into the global super league" (Smith, 2013). This could be argued to be "too soon" to venture into, since most of Africa's regional blocs have not yet reached the desired stage of RI. Arguably, member states are still struggling with political and economic instability amongst other challenges that are probably making it difficult for them to integrate even at the sub-regional level, let alone at the regional (continental) level. The views of the Zimbabwean President show a picture of an African leader willing to take a step towards a deeper African integration, and it also helps that he is also one of the senior African leaders that most African statesman look up to.

SADC³ traces its creation back to the creation of the Frontline States (FLS) in the 1960s and the 1970s' Mulungushi Club; the latter lasted from 1970 to 1974 and epitomises the first attempt at regionalism by the Southern Africa region. It comprised four original members, namely Zimbabwe, Tanzania, Zambia, and Uganda. The FLS, which was started by Tanzania and Zambia in the 1960s, was inspired by the struggle for political independence that engulfed the region at the time. The 1960s also saw the creation of the Organisation of African Unity (OAU) which had a Liberation Committee that had reportedly been the main instigator of the creation of the FLS. The next to join were Botswana, Angola and Mozambique in the aftermath of their independence in 1975. Then, in the 1980s, Zimbabwe also joined the FLS. The 2015 SADC document captures this development as follows:

"The Frontline States became the vehicle through which the region could coordinate its efforts, resources and strategies to support national liberation movements, and at the same time resist the constant military and economic destabilization by Apartheid South Africa" (SADC, 2015:9).

³SADC, *History and Treaty*, 2012, [website], <https://www.sadc.int/about-sadc/overview/history-and-treaty/>, (accessed 15 June 2019)

The Southern African Development Coordination Conference (SADCC), now SADC was born out of the need to protect member states against a common enemy and its goal was to limit dependency on a regime that most of the countries did not want to associate with or be reliant on. Currently, SADC is responsive to globalisation and the negative effects it has on member states, as they always seem to get the shorthand of the stick while trying to part-take in globalisation.

On 1 April 1980, political leaders from Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia, and Zimbabwe met in Lusaka to usher in the SADCC. The creation of this organization is often seen as mechanism for the states in the region to stop being too dependent on the Apartheid regime in South African. Clearly, Apartheid South African had a better military, economy and infrastructure than these states, which often gave it the leverage and influence over them. In this sense, political and economic objective stimulated the creation of SADCC.

One major achievement of SADCC is its creation of a suitable foundation for Southern Africa's regionalism prospects. Lee (2004) points out that the creation of SADCC came a year after South Africa had tried to create the Constellation of Southern African States (CONSAS). However, the regional African states declined this offer and created SADCC of which South Africa was denied membership. CONSAS was turned down because of the fear that South Africa would manipulate the body to exert its influence and power over it, thus advancing its agenda throughout the region.

With Namibia gaining independence and the political change in South Africa taking shape (the South African Apartheid State was folding back) in the 1990s, the region experienced the development of a new political landscape. Such developments enabled SADCC to increase its membership and also form a deeper integration project in Southern Africa. On 17 August 1992 in Windhoek, Namibia, heads of state including the new members – Namibia and South Africa – met and signed a treaty that transformed the SADCC into the Southern African Development Community (SADC). The move “redefined the basis of cooperation among Member States from

a loose association into a legally binding arrangement.” (SADC 2015:10). The SADC Treaty (2015) set out 8 distinct objectives, as enshrined in Article 5: -

- a. Is to ensure poverty alleviation with the end goal of eradication by promoting sustainable and socio-economic development which would in turn lead to the enhancement of the standards and quality of life including support for the disadvantaged region.
- b. The promotion of common systems and values that are legitimate, effective and democratic values through the body’s institutions.
- c. Ensure that democracy, peace and security are defended and maintained within the region.
- d. Promoting further interdependence within the member states through collective self-reliance by pursuing self-sustaining development.
- e. Ensuring that national and regional goals and programmes are aligned.
- f. Ensuring that regional resources are utilized in an effective and efficient way.
- g. Efficient use of the natural resources whilst also preserving the environment.
- h. Ensure that the historic social and cultural links that the people in the region share are strengthened and maintained.
- i. Continue the fight against deadly diseases including HIV/AIDS.
- j. All SADC functions should be set out with the aim of poverty eradication in mind.
- k. Ensuring that in keeping with community building, gender equality is achieved.

Article 5 continues to map out ten ways in which SADC will go about achieving the objectives outlined above: -

- a. SADC will ensure that all Member States have aligned socio-economic and political policies.
- b. SADC will ensure that the region’s population is at the centre of integration through participation of SADC initiative and the development of social, cultural and economic ties with each other across the region.
- c. It will create the required institutions and arm them with the necessary tools needed for SADC’s operations and implementation of its programs.
- d. Ensure that existing barriers to trade and the region’s population are eliminated through the development of suitable policies.
- e. Invest in the development of the region’s people into a human resource.
- f. Promote modernization through the developing and sharing of technology.
- g. Ensure that through regional co-operation the region is efficient in its performance and economic management.
- h. Ensure that the relationship between Member States is always fruitful and beneficial.
- i. Attract international actors into investing resources into the region.
- j. Member states should come up with new ways of ensuring that the Treaty’s objectives are fulfilled.

Zondi and Mulaudzi (2010) summarise the objectives of SADC as encapsulated in the need to create a political community by establishing collective security and implementing socio-economic policies that promote development and economic growth within the region.

One of the biggest difficulties facing regional and sub-regional organizations is the impulse characterising states' assertion of their sovereignty. Neorealism best describes this phenomenon, as states are seen as being self-centred and seeking to dominate international relations (Sayi & Opuku, 2014). Chigono and Nakana (2009) suggest that one of the biggest problems impeding regional integration is the lack of clarity and consensus on what regional integration is and on how to go about achieving it. Later in the discussion, the researchers link this claim to SADC and show how this stems from the characteristics given to SADCC, which later metamorphosed into the current SADC. Arguably, this phenomenon is self-explanatory, and it occurs when a member state's national interests take precedence over regional interests. This was evident when Zimbabwe defied SADC's tribunal that ruled against Zimbabwe's land reform programme, which saw Zimbabwe going ahead, nonetheless. Not only did Zimbabwe's actions go against the recommendations made by the region's tribunal, but it was also seen as a grave violation of international human rights (Shay, 2012).

Unfortunately, these sequential events led to the suspension of the SADC Tribunal, which the researcher discusses in later sections. This raises questions on the ability of sub-regional organizations to enforce certain decisions and make them binding with consequences to the member state – in case of failure by said member state to implement the regional organization's decisions. This also necessitates the need to discuss the next challenge this paper dwells on, that is, the institutional challenges that the region faces. The dynamics of these institutional challenges are mapped out in more detail later in this dissertation. For instance, the Zimbabwean President has assumed the role of the 'father figure' for most African states as through his leadership, Zimbabwe helped most states achieve their independence; it even helped the ANC execute its armed struggle. There are also some upsides to Southern Africa's regionalism. For instance, the energy sharing between the states has created a strong electricity network that links up all the countries. Stephan and Hervey

(2008:69) wrote: “Currently, every country in the Southern African region is connected either directly or indirectly to all other member states, and the volume of regional electricity trade has grown by 20 per cent a year since 1998.”

1.5 Regional integration as a tool

For the purposes of this research, we will be also including regional integration throughout our discussions because of the close relation between the two concepts. It is important to note that they do have differences however it is important to note that regional integration is used as a tool for the regionalism that Africa seeks to achieve. As much as African countries embarked on this regionalism project with a common goal, there is bound to be some form of decentralisation as they all appear to have their own way of going about it individually – as sub-regions. For instance, there are issues arising from dual membership, with overlapping as well as competing agendas; and other bilateral agreements that member states have entered into with non-members is also another such concern that, in the past, has caused apprehensions and tensions. Chigono and Nakana (2009:397) argue that “[t]he major rationale for regional integration is the belief that there is strength in numbers and in unity and that this strength can speed up the pace of development as well as enhance security.” However, this research seeks to show evidence attesting to the fact that less of this is occurring.

Generally, in a regionalism project, member states will create a powerful, unified economy by promoting more intra-trade amongst themselves. Contrary to this, in 2016 the Zimbabwean government-imposed bans on imports from South African - another SADC member state. The South African Department of Trade and Industry came out defending Zimbabwe’s decision, stating that these trade restrictions were a means of helping develop Zimbabwean local industries and thus ease the effects of economic sanctions (Medupe, cited in Pretoria News 2016). Even though this can be justified as the Zimbabwean government’s efforts to develop and protect its local industries, it can also be seen as a significant departure from the spirit, obligations and objectives of SADC. This particular incident reflects the tensions and paradox inherent in regionalism and national interest. RI usually occurs with the intent of formulating regional markets, thus strengthening the economies of member states,

with the political element of the integration at the backseat. RI is often not considered a necessity for a country to strive economically since countries can form partnerships with countries on other continents. Hansohm (2004:3) writes,

“...the importance of RI is rising, while there is little data on its benefits or otherwise. It is however, arguably especially important for developing countries to know about the effects, as they face the challenges of catching up with the industrialised world. The importance is enhanced by the attention the EU gives to RI - it intends to link the flow of aid to the success of RI initiatives.”

As Hansohm (2004) points out above, RI, as a more advanced form of regionalism, is seen to be on the rise; however, it is suggested that there is little data to prove its benefits or pitfalls. One can however counter this by pointing to the success that the EU has achieved as proof of concept for regionalism and also proof of the successes and shortfalls that it holds. This observation is of course based on the prevailing situation at the time his study was conducted more than 15 years ago. Yet, not much has changed since then, and the debate still rages on as to whether to celebrate or denigrate regionalism as an ideal solution for a regional economy. What we can do is to look at the successes that the EU has achieved through its more than 60-year period of regionalism. Parker (2017) lists some of the major achievements that regionalism has achieved for the EU and this includes the world's biggest single market and the freedom of movement for over 500 million people between the member states to study, live and work across all the member states. The pitfalls of regionalism can also be found in the EU, for example the Greek financial crisis that almost jeopardised the entire region's economy.

The purpose of this research is to resolve this ambivalence and investigate the extent to which RI in the African context has been able to assuage problems and challenges confronting African states and drive regional member states towards development and stability. Hansohm (2004) makes a critical point when he stresses the importance of sensitising states on the benefits of RI. However, this study goes beyond Hansohm's (2004) scope, as it suggests the need to interrogate more than just the perceived (or expected) benefits of RI to individual member states; thus, it focuses on the dynamics of regional integration and the mutual influences that member states have with each other. In line with the above point, this study sought to critically

examine this point by considering how SADC as a regional bloc is fairing in addressing regional challenges and national problems of member states.

The rhetoric about the real aspirations for RI appears to, at times, be driven by local or national projects meant to assert statehood in the face of globalisation and external influence, which might explain why former President, the late Robert Mugabe and the late President Muammar Gaddafi of Libya were keen on the project. Contrary to this observation, Bach (1999:2) suggests that Africa's RI initiatives are eating into sovereign states as autonomous entities. He argues that:

“...far from contributing to an adjustment of the state to pressure of globalization, regionalization in Africa is primarily the expression of micro strategies which...seek to take advantage of the resources of globalization, with the effect of a further erosion of the states' territorial and governmental legitimacy.”

However, the above is not without resistance, as states try to assert themselves as autonomous decision-making entities. What is clear here is the tension between the desire by states to ride the wave of globalisation and the urge to reap the benefit from its reconfiguration, while still trying to resist its negative effects and its appropriation by global powers.

From another dimension to this issue, Lee (2002:1) alerts us to critics who “argue that instead of attempting to enhance intra-regional trade, African countries should be involved in attempting to integration their economies into the world economy”. This means that some people view RI by African states as a futile attempt, because they would gain more if they integrate themselves into the global economy rather than committing themselves to regionalism and its economic implications. However, contrary to the above view, this study suggests that this recommendation would yield more negative results and shows that Africa's current pursuit of regionalism is a journey down the correct path for the fragile but growing economies.

1.6 Aims and objectives of the research

1.6.1 Aims of the research

The aims of the research are to explore the above problems and examine the extent to which SADC, as an African sub-regional and regional integration, has succeeded

in alleviating the challenges faced by the region and member states, specifically Zimbabwe in its fight for political and economic stability. The research aims to assess and compare the challenges and opportunities that regionalism has brought for SADC. It aims to explore these challenges and opportunities by focusing on Zimbabwe as a case study, mainly because of a wide range of challenges the country is grappling with and the numerous roles assumed by SADC as a regional body more specifically the peace keeping role in this case. This is, in view of the proverb that goes 'A chain is only as strong as its weakest link', which informs and frames much of the regional body's involvement in the Zimbabwean situation. With all due respect to Zimbabwe, the current socio-political climate seems to make Zimbabwe the obvious choice considering the point that it is a state in serious trouble. Thus, this research examines the Zimbabwean context and some of the prominent challenges that it currently faces, by way of identifying and interrogating the role the sub-regional body has sought to play and has played in Zimbabwe's domestic and regional issues. The study further explores the nature, form and significance of RI in the SADC region.

This research sought to investigate how African regionalism initiatives are faring, and prospects and challenges of African regionalism projects in pursuit of development as well as economic and political stability. It is an explicit fact that most African states are relatively new to independence and have not yet fully unshackled themselves from the leash of their former colonial masters. Such a condition certainly frames this inquiry – as African states forge their own common destiny while fighting neo-colonial influence and domination. In this, the central phrase is common destiny. Having noted that African states are fairly new to independence, the main question is how to go about building and maintaining their economies whilst remaining competitive in the global markets. Regionalism is one of such possible answers to this post-liberation problem. For example, Europe, which is deemed a workable RI model, ventured into regionalism during the post-World War II period with the aim of building bridges across member states while, most importantly, building strong economies. Thus, African states have also sought to appropriate discourses and practices of regionalism through forming organizations such as the African Union (AU), the Economic Community of West African States (ECOWAS), and the Southern African Development Community (SADC). This research also seeks to investigate the viability of regionalism as a tool used by African countries to stimulate development.

The study's *modus operandi* involves looking at the major previous and current challenges facing SADC states. Understandably, the challenges can be categorised as being socio-political and economic, all having a clear link with the region's colonial past. The main aim of this study is to show that regionalism, and more importantly market integration, is the way to go for the SADC region and Africa as a whole.

For any RI initiative, it is important to investigate how regional interests are reconciled with national interests by member states, particularly Zimbabwe in this case. The importance of this research arises from the fact that at times a state's individual actions may contradict the perceived or real greater good of the region. The importance of the research is that it seeks to shed some light on these conflicting interests by exploring the challenges and opportunities of regionalism in establishing sustainable development and stability within its member states. This will likely help African states decrease their dependency on foreign aid from donors that are usually their former colonial masters.

1.6.2 Objectives of the research

The research objectives are to problematise the prospects and challenges of African regional integration initiatives. It also seeks to build on the existing body of literature that mainly focused on development and stability. This study seeks to examine more than just the developmental potential of Africa's regional blocs. As mentioned earlier, the issues at play are multiple, ranging from political and social stability to state formation and institutional power or lack thereof. For example, the lack of transport and communication infrastructure in the region is tied to the last point. The lack of harmonisation is also a challenge for regionalism, and it is so because the countries have taken different approaches towards achieving development. The leadership and leadership styles of the heads of state is another proponent factor and to investigate this even further, the relationship of regional neighbours, Zimbabwe and Botswana, will be discussed at greater length.

This study thus seeks to critically examine the challenges and opportunities of regionalism and how the individual states' internal processes are linked and addressed through regional mechanisms; or to determine why that is not done, if that is the case. This research sets out to unravel the migration from SADCC to SADC

and beyond, looking at the challenges the regional integration process has gone through and the prospects of this initiative. As mentioned above, Zimbabwe has been used as a case study as it is one of the member states plagued with many challenges and is relying on the success of this regional integration agreement, which will help alleviate most of the challenges and problems the country faces. It is also worth noting that most SADC member states are facing similar challenges as Zimbabwe. Further, some problems have a spill-over effect as they affect the neighbouring state through excessive influx of refugees or immigrants.

In looking at the challenges, the study investigates the way in which the challenges have been dealt with and looks at prospects that the SADC region can look forward to, which could also apply to all African states or regions that have embraced regional integration. This research aims at exploring SADC as an experiment of regionalism in Africa, with a specific emphasis on Zimbabwe as a case study and a member of this regional integration project. The research will explore past and current challenges faced by SADC member states with more emphasis on Zimbabwe. It also looks at the challenges that stem from the regional integration project itself as it attempts to advance deeper integration in pursuit of a customs union as its end goal.

The hypothesis this study seeks to prove is that strong regional ties are essential for development and tackling challenges that might be faced by a member state. The aim of this research is to prove this hypothesis by proving that SADC member states achieved or could have achieved more while acting in unity rather than acting unilaterally. This means that the prospects and successes of regionalism should yield a higher output over the challenges and shortfalls of this region. All of this is being scrutinised through the lens of Zimbabwe as a SADC member state.

1.6.2 Key research questions to be answered

What are the challenges and opportunities of regional integration in SADC?

1. How are the national interests mediated by member states through the regional organization?
2. Has SADC been efficient in emergencies and other missions?
3. What can SADC do to ensure that it is more effective and efficient in its decisions and missions?
4. How has SADC been involved in addressing Zimbabwe's economic and political crisis?

5. Has SADC been able to enforce its decisions effectively?
6. How does state sovereignty affect SADC's integration?

This research has the following broad objectives:

1. To problematise the prospects and challenges of African integration initiatives
2. Explore the role SADC as a regional body plays/has been playing in political, social, and economic stability of member states.
3. Explore SADC's ability to encourage intra-trade within the region and formulate regional markets.
4. Examine how member states can balance between national and regional interests when it comes to decision-making, this will also bring about the discussion of how much power or authority the SADC body has.
5. Explore how differences and overlapping memberships are mediated and managed in the regional bloc.

1.7 Research design and methodology

This section discusses the methodology used to conduct this research. It outlines the research design, the actual research process, and ethical considerations that had to be adhered to in the process of conducting this study. Merriam (2009) describes two types of research, namely basic and applied research. This research falls under the applied research because it aims to improve the state of regionalism and how it is perceived on the African continent, and this is one of the characteristics of applied research. The decision to adopt the qualitative research methodology over its quantitative counterpart is determined by the nature of the phenomenon under investigation and the fact that a qualitative research is better suited for answering the research questions. It is also important to mention that the research does use some elements of quantitative data as a way of explaining the reasoning the qualitative data is interpreting. Quantitative data will be utilised through use of figures and graphs to display evidence in a visual manner. Qualitative research is described as "methods that try to describe and interpret people's feelings and experiences in human terms rather than through quantification and measurement" (Blanche, Durrheim & Kelly 2006:272). Since this research deals with government decisions,

leaders' unilateral and collective actions, it would be better to employ qualitative methods as we investigate the effects of their decisions on ordinary citizens.

As this is a qualitative study, qualitative data is dominant. Qualitative data is described as consisting of "direct quotations from people about their experiences, opinions, feelings, and knowledge obtained through interviews; detailed descriptions of people's activities, behaviours, actions' recorded in observations; and 'excerpts, quotations, or entire passages extracted from various types of documents" (Patton 1990, cited in Merriam 2009:85). This research is a desktop research; hence, it does not involve the process of interviewing participants, conducting focus groups or surveys. This research studies and reviews readily available data and does not attempt to create new data through new interviews. It is argued that the actual "data collection is about asking, watching and reviewing" (Wolcott 1994, cited in Merriam 2009:85). For purposes of this research, this means that the research reviews material that seeks to answer the research questions that the research seeks to answer.

Data analysis was done using thematic analysis and iterative qualitative analysis; the latter involves the use of two strategies, namely analytical induction and grounded theory. To elaborate, "analytic induction aims to produce universal statements about social phenomena" (Fielding & Lee 1998, cited in Sarantakos 2005:351). This applied to this research because the intended outcome is to show the positive aspects of regionalism and that if states are fully committed to it, the gains would outweigh the costs. On the other hand, thematic analysis method entails the identification and analysis of patterns within data, which enables the organization of data into themes and links which helps the researcher identify the links between the themes (Joffe 2012). In the case of this research for instance, the researcher looks at intervention by SADC in two different crises, and by looking at them collectively, the researcher will be able to delineate the similarities and differences between the two interventions.

1.8 Limitations of the study and contributions to the field

One of the limitations of this research is the fact that it is hard to fully attribute the growth of SADC countries to regionalism because the countries are also engaged in

a variety of other development initiatives through globalisation. This is perhaps one of the challenges of a qualitative research, as the researcher cannot easily quantify the issues the study is dealing with. The other limitation that is worth mentioning is the fact that the research cannot really delve into the thinking behind the decisions made by the leaders through interviewing them mainly because acquiring access to the current SADC leaders and predecessors is extremely hard and would have been too time-consuming, given the time stipulated for the completion of this research. This also extends to the bureaucrats because of the red tape that prohibits them from disclosing some sensitive information and acting as spokespersons of their relevant departments. This is one of the reasons that grounded the research to a desktop research because only interviewing the public would have been one-sided.

In terms of contributions, it is hoped that this research will help cement the role of regionalism in African development. The study will show that the doubts that exist for undertaking in regionalism need to be dispelled since the gains of regionalism outweigh the costs. This study also hopes to allay the doubts that exist regarding regionalism being a suitable tool for Africa as it battles the problems it is facing and for achieving development, growth, and being a formidable player in the world economy. Within the arena of International Relations as a research field, there is also little research focusing on the effects of regionalism for the SADC region and the actions of the leaders that ought to be championing regionalism. It also hopes to encourage states to commit themselves to deeper integration and this requires that they are open to relinquishing some degree of sovereignty to a supranational institution.

1.9 Structure of the dissertation

This research comprises five chapters. Chapter One maps out the background to the research, its objectives and aims. Chapter Two delves into the conceptual and theoretical frameworks underpinning the study. The chapter also discusses regionalism as a concept, with reference to the European Union model and linkages drawn to the African region. The chapter ends by focusing on the way in which regionalism occurred in Africa. Chapter Three, which deals with SADC as a regional organization dissects the institutional and organizational structures of the regional

body. The chapter concludes by reflecting on the challenges that SADC faces with its regional integration project, challenges with its economic integration, and political and security cooperation challenges. Chapter Four delves into SADC's economic integration project and looks at the specific challenges that the region is facing in its pursuit of economic integration. The chapter further reflects on other specific challenges that the region has faced, for instance, the fall of the SADC Tribunal. It then ends with a discussion of some of the region's notable successes. Chapter Five specifically deals with Zimbabwe as the main case study and evaluates the performance of SADC in alleviating some of the major problems that one of the founding states has been grappling with over the years. Chapter Six, which is the last chapter, summarises SADC's challenges and opportunities as well as its position with regards to Zimbabwe. The chapter concludes by proffering recommendations based on the findings of the research.

CHAPTER TWO

CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 Introduction

This study is a desktop qualitative research that focuses on regionalism in the SADC region, through an exploration of specific elements of this experiment research; it undertook data analysis during and after the data collection phase. The discourse and practices of regionalism and region-making are thus central themes to this research. Weighing on a specific theoretical framework for this research, considering the dynamics of regionalism and region-making of the past and present was very necessary. It is out of the existing conditions that specific theories of region-making were initiated to inform specific practices. To be exact, much of the theoretical work on regionalism starts with the European experiment to the extent that the European Union (EU) has become a model for almost all subsequent experiments on regionalism.

To initiate this discussion and locate these theories within the context of their historical development, it is worth considering what informed the creation of EU both as a normative approach and an analytical view of its history. Two major theories feature as far as EU regionalism and its establishment are concerned: Neo-Functionalism from the 1950s and Intergovernmentalism from the 1960s. It is important to note, however, that these two theories have been in coexistence. For example, “What is obvious is that the role and influence of intergovernmentalism increased, especially in vital moments such as those preceding important agreements, whereas neofunctionalism maintained its relevance when dealing with more bureaucratic, administrative decisions” (Moga 2009:803). In as much as these theories developed in different times and are responsible for different stages in the process of regionalism, they are both applicable to this study as they both have their own unique uses and applications. There is, however, a third theoretical framework, the political economy of regionalism, which is dealt with alone below but as a matter

of interest and the fact that the first two frameworks mentioned are from the same time makes it befitting that their background be the starting point for discussion.

This chapter starts by exploring the earliest theoretical formulations on regionalism. The rest of the chapter focuses on the two theoretical frameworks that underpin this research: Intergovernmentalism, and the political economy of regionalism. It explores them individually and links them with the ideas and claims coming up during this research. The chapter further outlines and discusses the main concept that has been central to this research, regionalism, and accounts for the differentiated ways in which it has been conceptualised; it also dwells on the concept's old and new versions. The variation this research has appropriated is explored in some detail. The way regionalism has informed, and is appropriated in the African context is assessed in this chapter.

2.2 Background to Intergovernmentalism and Neofunctionalism

Neofunctionalism emerged from functionalism, which was made popular by Ernst Haas (1958) to explain and understand the specificities and characteristics of European integration. According to Haas (1958, cited in Moga 2009:797), "political integration is the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states".

For Haas (1958), regionalism involves a shift in power, where national actors give up their power to a supranational entity, which has jurisdiction over all the political communities that are a part of it. Accordingly, integration is:

"a process whereby political actors in several distinct political settings are persuaded to shift their loyalties, expectations and political activities towards a new centre whose institution possess or demand jurisdiction over the pre-existing nation state. The end result of a process of political integration is a new political community superimposed over the pre-existing one." (Haas 1958:9-10)

Haas (1958) further indicates that the EU is a regional integration driven by the aspirations and desires of elites and technocrats, and it is a product of the

imaginings of the European ruling class. For Haas, then, “[N]eo-functionalism assumed that, by working together, elites were becoming European, disengaging from national allegiances” (Haas 1958, cited in Leustean 2009:167). Haas’ conception of Neofunctionalism considers the reframing of identity and political community into the central aspects of regionalism, and he argues that EU assumed its current outlook because its elites moved away from identifying themselves nationally into identifying themselves regionally. These shifts, coupled with the post-war era that saw the rebuilding Europe at the time, became strong drivers of European regionalism.

Consistent with this observation is Haas’ postulation of a ‘spill over’ effect, which appears to be the most significant proposal as it suggests that integration occurred because national actors coordinated their politics to strengthen transnational cooperation. The ‘spill over’ effect is at the centre of Haas’ Neofunctionalism, and he argues that it can only occur when certain conditions are satisfied in that region. Schmitter (2005:258) lists those reasons as follows:

“Increase in economic interdependence between member countries, crises of sufficient magnitude due to unintended consequences, development of political competence and autonomy for intervention by regional bureaucrats and emergence of interest associations capable of acting on the regional level independent of national constraints.”

The underlining assumption in the above conception of ‘spill over’ is that cooperation in one field inevitably leads to cooperation in another – even in contentious areas. Such is a process through which functional interdependence would be established. According to Moga (2009), the ‘spill over’ effect comprises two components. The first one is sectoral or functional ‘spill over’, which explains how integrative activities are transferred between sectors. The second component is political ‘spill over’, which entails the harmonisation of monetary policies, leading towards a more centralised system. In the above sense, simply initiating a supranational institution has a possibility of forcing member states to cooperate in other areas. In the case of variability and its inability to precisely determine outcomes, the ‘spill over’ effect appears to be less productive as an analytical concept.

Schmitter (2005) argues that neofunctionalism is difficult to underpin because it cuts through the normal understanding of comparative politics and international relations.

He reiterates that this approach can reaffirm the importance of the state as a central entity when it comes to the formation of an international organization and points out that it is important to appraise non-state actors. The non-state actors are the secretariat, which is formed as an institution during integration, and other interest groups (for instance, business) and social movements that are centred on tackling regional issues. Aside from these important points, the underlying assumption of neofunctionalism is that realisation of interdependence of nation-states by the local elites is what gravitates towards transnational institutional making and integration, which can be seen as flawed. Arguably, neofunctionalism, as rooted in the liberal conception of regional integration, which assumes well-meaning cooperation, has serious shortcomings. The blind spot with this approach is its inability to visualise and predict the ebbs and flows of regional integration, the conflicts, tensions, and contradictions.

Weighing on the neofunctionalism approach to integration, Schmitter (2005:257) suggests the following:

“...integration is an intrinsically sporadic and conflictual process, but one in which, under conditions of democracy and pluralistic representation, national governments will find themselves increasingly entangled in regional pressures and end up resolving their conflicts by conceding a wider scope and devolving more authority to the regional organizations they have created”.

The assertion here is that democracy and pluralistic representation are crucial ingredients to escalating regional integration. The question is, what if the regional states, or some of them, are not democratic? Where would this leave most of the continent's initiatives for regional integration? If one follows this line of conception of the regional integration process, then SADC, as an RI experiment is arguably in big trouble, considering that several states still grapple with democratic and representational deficit; this is despite that some positive elements of democracy and pluralistic representation are slowly brewing in the region. A case in point is the social movement and the trade unions pressuring SADC to act in resolving the Zimbabwean crisis.

Schmitter (2005) lists seven features of neofunctionalism as follows:

- States are no longer the centre of power when it comes to the international and regional system.
- Interests are the primary drivers of integration and not identity or common ideals.
- With the lack of prior knowledge or experience, integration decisions are usually uninformed and are usually made under crisis or deadline pressure.
- Issue arenas usually form the basis of the integration process, with the issues addressed starting from the easiest moving on to the hardest.
- Supranational entities should be formally added to drivers of the integration process because it is not only confined to national actors.
- Rules and policies for integration are reached by actors through the differences of their preferences and not the similarity of their objectives.
- The outcomes of the integration project are not cast in stone through the treaty, but they are a work in progress and are forever changing.

The above features of neofunctionalism underpin the advanced regionalism of the EU. As this research has alluded to, the EU forms the basis on which the SADC's regionalism is built. Nevertheless, the study continues to investigate the insurmountable problems this regional block is facing, especially in the recent years characterised by crisis after crisis the region is facing. Neofunctionalism has neither sufficiently considered nor appreciated the tenacity of nationalism and the nation-state as a mode of organising the political community. The notion that nationalism would wane with time, as the transnational union grows and expands, has proven to be less convincing. Other researchers have pointed out that neofunctionalism simply depends on the outcome of the project to explain its process, and thus, unable to give a certain picture of the emergent regional political community (Taylor 1983). Schmitter (1970:836-37), as the major proponent of neofunctionalism as an approach, points to some of the major drawbacks of the theory. For him, neofunctionalism:

“...was a failure in the sense that it has proven to be an inadequate and easily misunderstood theory. Variables were sloppily conceptualized; few operational referents were suggested; little attention was paid to specifying relations between variables – to process, in other words; and, above all, no sensitivity was shown to the likelihood of different integration outcomes. It was a success in the sense that it proved to be an attractive target”.

Even more concerning here is the fact that this theory is apparently Euro-centric in its approach and outlook. For this reason, the researcher remains reticent about neofunctionalism as a theoretical approach in explaining the African context.

2.3 Intergovernmentalism

The other dominant theory in the international relations of regional integration is Intergovernmentalism, which is the neorealism variant. This theory emerged as a counter theory to neo-functionalism and a response to the loss of sovereignty that accompanied regional integration (Leustean 2009). In the 1970s and 1980s, the integration process was gradually slowing down. During this period, the process of co-operation rather than regional integration appeared to be the leading feature in international relations. This was largely due to the gains acquired from cooperation at the time, and states were ardent to maintain sovereignty. It was apparent that with integration, a degree of a state's sovereignty had to be given up to the supranational entity that member states had created. Conversely, co-operation meant that states could maintain their sovereignty and remained in control of the integration process. Moravcsiki (1991) captures this in the following statement:

“The member states have always guarded their national interests and placed strict limits on any future transfer of sovereignty. Thus, they tried to avoid granting supreme authority to central institutions that could weaken their sovereignty, preferring instead to work through intergovernmental institutions such as the Council of Ministers” (Moravcsiki 1991, cited in Moga 2009:802).

In light of the above, Intergovernmentalism pushes countries more towards cooperation than deeper integration. Arguably, this has been a trend for the SADC regional integration project. In the case of SADC, however, the cooperation is not only regional but also global through the many agreements and partnerships that the countries are part of bilateral and multilateral engagements (a theme to be explored in the next chapter).

Intergovernmentalism manifested in the shift in the mechanisms and processes of the European integration experiment. Undoubtedly, the EU is the comprehensive form of integration within the global community as it includes freedom of movement, unified markets, and a monetary union. While its early stages were considered as appropriately captured by Haas' (1958) and Schmitter's (2005) Neofunctionalism approach, its subsequent processes of, and challenges in, the integration project were checked, forcing many to reconsider it as an approach. Many, including Schmitter (2005) acknowledged the challenges of using this approach, as they

observed the slowing down in EU integration and the surging nationalism. The trend saw EU member states starting to engage in cooperative practices on common interests rather than moving towards becoming a full-fledged transnational political community. This is the context within which the Intergovernmentalism approach emerged, both to explain this cooperative condition and formulate a normative postulate for future integration experiments.

The central element underpinning the Intergovernmentalism approach is 'negotiated decision-making' (as opposed to institution making – proposed in the Neofunctionalism approach). Instead of placing emphasis on the supranational institution, this approach re-inserts states as principal actors in regional integration capable of making decisions regarding entering into cooperative agreements with other states in the region. This is what constitutes intergovernmental cooperation. In many ways, this is in recognition of the fact that the nation-state is not going anywhere, not any time soon, as the European elites of the post-Second World War era yearned.

The nation-state and nationalism, thus, are not to be ignored in defining interest and demarcating an own political community. This is particularly important in the African context for two reasons. As Hoffman (1966:864) suggests, one, the struggle against colonialism and the post-colonial moment are significantly shaped by the nation and nationalism as ideologies and organizations of the state. The demand for self-determination was an important element of this. Two, it is fathomable that the newly independent states would enviously guard their newly found sovereignty. It is within such a context that those who sought to map out African regionalism appear to agree that African regionalism can only be best explained by Intergovernmentalism.

So far, African regions have been able to integrate common markets and form Free Trade Agreements (FTAs). This implies that integration is taking place just at a slower pace than expected, and it appears to have been necessitated by the need to cooperate at some level, rather than to integrate into a unified political community. In this sense, integration is a tentative move. With the idea of the 'United States of Africa' being the target for SADC and AU as a continental body, one cannot expect a deeper form of integration that includes the freedom of movement for citizens and

an integrated monetary system. Presently, there is a sustained rhetoric and discourse, advanced mostly by African elites who envisage the growing initiatives to integrate economies and establish trade zones.

Hoffman (1966) suggests that Intergovernmentalism is characterised by conditions of external power influence and dynamics in the sub-region, and competition for influence and hegemony, which heightens their diversity and the nation as a political community. This means that any engagement with external entities in the region or the global community is framed within the context of serious consideration of the 'national interest' of the nation-state. Power dynamics and power bargaining are crucial features of RI in the ambit of Intergovernmentalism as an approach. In this formulation, powerful states, and states that stand to gain, are likely to push and exert pressure to enter cooperation to affect the process and outcome. Intergovernmentalism, thus, pursues a cautious formulation of RI, as opposed to the liberal and buoyant conceptualisation of RI held by the Neofunctionalism approach.

This research appropriates elements of this approach to explore and problematise the aspirations, rhetoric, and practices of RI in the ground, the successes, and the failures of SADC in pursuit of its goals. To better understand the diversity and differentiated power dynamics at the regional level, one should consider the political economy of regionalism.

2.4 The Political Economy of Regionalism

The Political Economy of Regionalism is another framework appropriated by this research. Two fundamental concerns guide the political economy approach; one is the ways in which political and economic power dynamics influence processes and conditions; and two, the historical analysis of the given process. The Political Economy of Regionalism takes these two pillars to the global and regional levels. This approach considers the power dynamics and influences at the global, regional, and national levels. The Political Economy of Regionalism considers how these dynamics are reflected in and frame regional institutions and governance mechanisms in their historical context. Differentiations, power imbalances and inequalities among states in the region are of interest to this approach. These

dynamics, thus, are implicated in shaping and framing the ideology and practices driving regional integration. Söderbaum and Granit (2014:14) wrote:

“As such, many drivers and barriers to regionalism are shaped by aspects of political economy, such as fragmentation and constraints of size, the role of transnational political coordination and governance, matters of sovereign economic and political interests, as well as power and the distribution of wealth and resources within both regions and within countries”.

In this sense, some form of power struggle and contestations affect all regional integration initiatives. Beyond this, the Political Economy of Regionalism inserts and appraises non-state actors, and “hybrid regional arrangements, networks and governance mechanisms” (Söderbaum & Granit 2014:15). Thus, regional integration processes are reflective of, and constituted through, the interests of those powerful states, networks, and other non-state actors in the region, and, in some cases, even beyond the region. The Political Economy of Regionalism also ushers in the concept of regionalisation, whose institution entails the dynamics and developments of region-formation and regional cooperation, and developments that can occur potentially outside of the realm of regionalism. Regionalisation is described as the “process of cooperation, integration, cohesion and identity creating a regional space (issue-specific or general). It furthermore implies an activist element, a strategy of regionalization, which can be pursued by both state and non-state actors” (Söderbaum 2004:7).

Söderbaum (2004) explores the political economy of Southern African regionalism. In his analysis, he operationalised four notable variations of regionalism. These are market integration and regime-boosting (which are both under formal regionalism), informal economic integration, and shadow regionalism (which both form part of informal regionalism). What is interesting to note here is the way formal and the informal regionalism are entangled to determine the actual process of regional integration. It is crucial to consider the various mechanisms through which these variations of regionalism have been established; it is important to also question how and why regionalism takes place while involving multiple and competing actors and interests. According to Söderbaum (2004:69), the formation of the OAU and now the AU as well as New Partnership for Africa’s Development (NEPAD) all occurred through market integration, and they realise that unifying the continent needs to be

started from the sub-continental economic communities that already exist within the region. For example, COMESA, SADC, and ECOWAS are seen as the building blocks towards the realisation of an African Economic Community (AEC).

Söderbaum (2004) identifies ideas of regime boosting and shadow regionalism as some of the challenges that threaten market regionalism within the Southern African region. Söderbaum (2004) sees regime boosting as the practice where leaders within the region promote and praise regionalism practices as a way of boosting the profile of their authoritarian regimes, giving them some sense of legitimacy. Their participation in the regionalism project also enables them to promote state sovereignty, while also making sure that the ruling regime's profile within the international community is lifted. SADC is therefore used as an image-boosting arena to the extent that even the decision-making that occurs is highly formalised and results in regimes showing loyalty to one another. This point will be further exemplified at a later stage when the study discusses the decision to disband the SADC Tribunal. For example, "From its creation in 1992 and until 2004 the SADC leaders have signed 23 sectoral protocols and ratified less than half of them. There is no doubt about the fact that some protocols contain quite a progressive content. But the argument raised here is that the activity of signing protocols has been part of regime-boosting regionalism" (Söderbaum 2004:99). This has resulted in protocols not being fully ratified by the region which may be seen by most observers as feet-dragging on the part of the region. Apparently, the intentions of the conservative regimes were not to implement the set protocols and projects but to be seen as progressive movements that are willing to move integration forward.

The second challenge that Söderbaum (2004) discusses is the fact that the region is threatened by shadow regionalism. Söderbaum (2004:104) perceives shadow regionalism as heavily linked with informal markets, and it occurs in a situation where the leaders are heftily benefiting from the informal markets; so, it is in their best interests that formal regional integration is not implemented accordingly. This is similar to regime-boosting as it results in the liberalisation of regional integration and rationalization schemes not being fully carried out. For example, "...the parallel economy in former Zaire, which exceeded the official economy in size, expanded as a consequence of the systematic corruption, theft of state revenues and the personal

rule of President Mobutu Sese Seko” (Reno 1998, cited in Söderbaum 2004:104). The expansion of the informal economy because the state is weak and corrupt further shows how the ruling elite that benefits from shadow regionalism ensures that conditions remain the same so that they can benefit even more as the informal economy grows. For example, “The concept of shadow regionalism suggests that important state elites and rentier classes actively seek to preserve existing boundary disparities and the continued failure of regional organizations and policy frameworks” (Söderbaum 2004:105). The consistent push by the leading elites to ensure that conditions remain the same for them to benefit are part of the major challenges that are holding regionalism back in Africa. The discussion on the challenges and problems plaguing regionalism are dealt with in greater detail in Chapter Three.

Goyal and Staal (2004) adopted another approach by examining how regions weigh up uniting and separating because of trade-offs. They found that regions separate so that the major actors exercise more political influence, and, in other instances, they unify the region when such a process allows them to take advantage of the economies of scale. The Political Economy of Regionalism, as an approach, deems size of the region as an important factor determining the process of regional integration (Söderbaum & Granit 2014); and this is coupled with the clustering of preferences and interests among the various and differentiated actors of the region, which is another important consideration for this approach. When the region is big, there is greater diversity of preferences and interests among members; hence, there is greater heterogeneity and greater challenge impeding the move towards a union. The emphasis is on the differentiation and competition for domination and hegemony that may emerge with such context. Cooperation and competition are thus significant features of such regions.

While the liberal approach to these conundrums simply proposed market liberalisation and open regionalisms, the Political Economy of Regionalism appraises contestation, struggle for hegemony and inequality as crucial factors shaping the ebbs and flows of RI. Söderbaum (2004:72) suggests that “There is really no questioning of market liberalization and open regionalism as the guiding principles to achieve the so-called development community”. However, the position is that this process riddled with challenges and contestations. Similar reasoning appears to

guide the Southern African region, as demonstrated by its initiative to consolidate, and develop SADC through market integration as a way of fostering development within the community. What is not considered here is the inequality among actors and the competition for dominance and hegemony within the region and their implication on regional institution making and the possibilities of achieving the stated objectives.

Considering the above frameworks, it is also important to note the institutional side of regionalism. Ayangafac (2008:3) writes:

“Regional institutions are first and foremost an initiative, an embodiment of a political ideology rather than mere structures. The structure, design and function of regional organisations are nothing but a reflection of a political compromise to realise and accommodate political interest”.

This is a departure from the point that regions unite more in the face of preferences and Ayangafac (2008) describes how the institutions themselves are an extension of political compromise and interests. This suggests that the supranational regional institutions will always show the compromise that member states have been able to reach during the creation of institutions.

Along with regional institution making, it is imperative to consider the negotiation process for establishing regional governance mechanisms. Within SADC, there are several initiatives meant to establish governance mechanism and they have mainly been targeted towards the economic realm. Market and trade governance mechanism and policy frameworks that guide this regionalism are prominent here, and this is because these are perhaps the least contested ones. For example, Mutai (2003) notes that the creation of the Cross-Border Initiative (CBI), which changed into the Regional Integration Facilitation Forum (RIFF). These frameworks were then applied to both the Eastern and Southern African integration projects with the aim of stimulating cross-border trade, investments, and payments.

Regionalism and regionalisation are similar in that they both talk about regional integration and regional cooperation and have been both used interchangeably in place of regional integration and regional cooperation. In the following section, the researcher explores the ways in which the concept of regionalism has been appropriated in this research to delineate the conception of African regionalism.

2.5 Regionalism: Old and new regionalism

Regionalism as a concept appears to be self-evident but defining it has been highly contested. The definition that the European Parliament Community Charter for Regionalization has developed is the most comprehensive one, as it defines regionalism as:

“a territory which constitutes, from a geographical point of view, a clear-out entity or a similar grouping of territories where there is a continuity and whose population possesses certain shared features and wishes to safeguard the resulting specific identity and to develop it with the object of stimulating cultural, social and economic progress” (Popescu & Nica 2011:180).

The decision to use the above definition stems from the fact that in comparison with other definitions, it is more institutionalized while also taking into consideration the geographical aspects that characterise a region. Similarly, Mansfield and Milner (1999:3) define regionalism as political and economic interests demarcated by geographical purposes, thus:

“Regionalism refers to the disproportionate concentration of economic flows or the coordination of foreign economic policies among a group of countries in close geographic proximity to one another. It also refers to the concentration of political-military relations among geographically proximate states”.

Levis and Wigen (1997, quoted in Vayrynen 2003) caution that regions cannot be merely defined by their geographical location because they are transformed by socio-economic and political factors that necessitate their creation or dismantling. However, the emphasis on geography that features in Mansfield and Milner’s definition of regionalism remains relevant, since having proximity to one another geographically as states, is certainly a critical variable, if not the sole one. Thus, geography is worth considering, though it should not be over-prioritised.

Hurrell (1995) offers a far more comprehensive picture of regionalism, and he categorises it into five different features: regionalisation, regional awareness and identity, regional interstate cooperation, state promoted regional integration, and regional cohesion. Lee (1999) has organised topographies of regionalism slightly differently, and he separates regionalism into four distinct features: economic integration, regional cooperation, regional integration, and development integration.

What the above efforts show is that what is being emphasised in characterising regionalism and attempts to make well-encompassing the many variables under it ends up creating vague terms appropriate to characterise features of regionalism.

The Eurocentric idea of regionalism, which is now commonly known as 'Old Regionalism', is said to have first come to the fore after the Second World War, with Europe. Stephan and Hervey (2008) recount how it all started with the idea of stabilising steel manufacturing around Europe during the 1950s to prevent competition through the European Coal and Steel Community (ECSC), which later expanded into the European Economic Community (EEC). This undertaking had two stages. The first was to ensure that war became improbable by creating solidarity between the states. Secondly, it ended tariffs through joint regulations that were the custodian of a supranational body. This account suggests that regionalism started as a way of ensuring economic progress for the steel sector, by first creating relationships between states and then creating an institution that would represent all the states. This paved way for the formation of the European Union (EU). So, this evinces that the EU started through the market integration approach rather than the developmental integration approach, which has led to Europe's move on to a deeper form of integration that now includes a political union, a unified currency, and the freedom of movement of goods, services, and people.

There are four main approaches to regionalism, namely the developmental approach, the functional approach, the market approach, and the *ad hoc* approach. To differentiate the four types of approaches, Hentz (2005) describes both developmental and functional regional integration as state-centred where the state is central in the integration process and advocates for development before economic integration. On the other hand, market regional integration and *ad hoc* regional integration involve the markets as the drivers of integration, with the state playing a less significant role in these approaches. SADC, however, is a bit unique in its creation, as it was not formed by conventional market approach, but it has developed itself into a market-led regional integration which is being stimulated by the governments. This points to SADC having started as a developmental integration, which justifies the move to market integration; however, there are questions since the region is arguably not developed enough for the transition.

Regionalism in the African context has similar aspirations and multiple benefits that come with being part of a collective rather than being an individual state. For example, “African leaders sought to imitate the experience of the European Union (EU), because these leaders were interested in promoting greater stability and cooperation at a regional level, through specific inter-regional policies, mainly concerning development, institution-building, trade and other issues of common interest and concern” (Julian 2012:22). On the other hand, Lee (2002) identifies two general reasons as to why regionalism has made inroads onto the African continent: one, to strengthen the unity within the member states as well as the rest of Africa, and second, to strengthen the region economically through growth and development. However, other scholars such as Bachinger and Hough (2009) and Zondi and Mulaudzi (2010) see the spread of regionalism into Africa as a way of enabling countries to deal with globalisation, with the assumption or aspiration that unity would increase their advantage and clout within the globalised world. They also suggest that regionalism also spread into Africa for political reasons, to ensure the formation of collective security and defence. This last view resonates with the one offered by Lee (2002).

The European experiment with regionalism emerged during the post-World War Two period where states were fragmented, with many of them having been left devastated and isolated from world markets. Regionalism, in this case, featured as the answer to the question of rebuilding Europe and the reconnection of these isolated countries to the broader transatlantic market. Africa is in a similar position, with most states having newly acquired independence from colonial rule and still battling with many challenges some of which could be solved through regionalism, thus ending the devastating fragmentation that African states were left with by the colonial masters.

As noted above, the European experiment of the 1950s is what is called the ‘old regionalism’. Ethier (1998) classifies ‘New Regionalism’ as consisting of six main characteristics:

- Firstly, it is a grouping between one or more small countries in terms of power coming together with a big country. Ethier (1998) uses the North American Free Trade Agreement as an example and points out that Canada and Mexico are the small countries with the United States of America as the big state.

- Secondly, the small states in the agreements have recently or currently been going through individual reforms. He poses as an example, the manner in which some European countries in joining the EU were moving away from communism.
- Thirdly, Ethier (1998) suggests that a move to free trade between member states is not a feature in it and that liberalisation is modest. Here again, he uses the example of NAFTA as not having dramatic liberalisation, which is not the case for our case study.
- The fourth is the liberation that occurs and is usually undertaken by the small countries, which directly translates to the agreement being one-sided. NAFTA is an example of this, as Mexico and Canada had to make more concessions than the United States of America.
- The fifth is how the regional agreements will now strive for deep integration amongst the member states through harmonisation of economic policies and sectors.
- The sixth and last characteristic is that the regional agreements are geographically based, meaning that the member states are neighbours. With deep integration, they seek to move towards integrating the populations of the different member states, and this is made easy when the time comes to apply freedom of movement between the member states.

After having outlined the above characteristics, Ethier (1998) argues that these are not universal, considering the diversity and unique composition of the current regional organizations. The need for regionalism is to be found in the states' weakness to deal with deep-seated problems. In describing this dimension of the state's power and functions in relation to regionalism, Crozier (1987) writes:

“The state is no longer the privileged arena in which policy differences are negotiated and resolved, but is merely one of a number of such arenas. It ceases to be a place where the diverse aspects of policy are mediated and integrated. Instead, economy, social integration and culture are discrete fields of policy, with their own communities, networks and rationales” (Crozier 1987, cited in Keating & Loughlin 2004:28).

Based on such an assertion, the State, in “New Regionalism,” is no longer deemed to be the island where all decisions are made and dictated. Zondi and Mulaudzi (2010) point out how this new type of regionalism is more inclusive to actors that had previously been excluded from regional integration projects, and this includes business and civil society. This further translates to regionalism seeking to benefit from globalisation.

During the first and second wave timeline, as mentioned by Bachinger and Hough (2009), Keating and Loughlin (2004) suggested that regionalism occurred intra-state

before it became interstate. They looked at how Italy, France, Britain, and Germany all formed regional movements in roughly the same periods. The 1970s came with three types of regionalism, namely defensive regionalism, integrating regionalism, and autonomist regionalism. According to Keating (1997), defensive regionalism is associated with groups that strongly believe in traditions, their way of life and identity, which goes along with traditional economic sectors that resist change. Integrating regionalism was seen through regions that are eager to be integrated into the national economy by modernising it, and to reassert itself in the playing field.

Autonomist regionalism focused on modern day liberalisation by combining autonomy, economic modernisation, and cultural promotion. Defensive regionalism can be associated with the first wave of regionalism in Africa, which was born out of Pan-Africanism and sought to protect the newly independent African states as they tried to grow. Integrating regionalism can be tied to the second wave of African regionalism where the push was to integrate markets and politics more with the desire to be more competitive in the global market as one supranational entity. Núñez (1999) identifies Spain as an example of autonomist regionalism. Spain had three national movements, the Catalan, Basque, and Galician, which denied the existence of the Spanish state, while occupying it. So, these movements, which were given autonomy through a decentralised system of power from the Spanish national ruling elite, meant that these regions adopt autonomous governance while they are under Spanish rule.

Vayrynen (2003) identifies and describes two types of regions: physical and functional regions. Physical regions, according to him, arise from the notion of anarchy, where countries come together and form regional security entities. To the contrary, functional regions are a direct contrast to physical regions, as they do not require the notion of anarchy; instead, states come together to tackle similar issues that involve the economy, the environment, or culture. What should be appreciated here is the fact that these conceptions do overlap. This research acknowledges the fact that in the African context, the economic, political and security concerns that bring regional states, are significantly fluid and interwoven (this will be explored in the upcoming section).

The distinction noted above might exist as discreet conditions in other regions. For example, Mattli (1999) argues that Mercosur, North American Free Trade Agreement (NAFTA), and the Association of Southeast Asian Nations (ASEAN) were created to assist with the mobilisation of regional resources efficiently while assisting with interregional competition. Mattli (1999) refer to how NAFTA was a response to the economic woes that Mexico was facing, to which the United States of America (USA) stepped in and ensured that the Mexican economy was liberalised so that it could be at par with the rest of the globe. This reaction is also attributed to the way in which SADCC was formed during the era of Apartheid South Africa as discussed earlier under the section on SADC. The rationale for the creation of SADCC was that Southern African states wanted to stop being heavily dependent on Apartheid South Africa, which was already a regional powerhouse at the time. The genesis of SADCC will be discussed in more detail below.

2.6 Pan-Africanism, the OAU and waves of African regional integration

The main thrust of this research is to delineate the current state of regionalism in Africa. To gain a better understanding of that crucial aspect, it is important to note the origins of regionalism in Africa and how it came about. Pan-Africanism is a movement that replicates regionalism in the African context. There has not been a specific distinction of the Pan-Africanist movement, but the consensus is that it is underpinned by the unification of African people with a common purpose of overcoming common problems which stemmed from oppression and colonialism.

The challenge of defining Pan-Africanism emanates from the fact that it has been a tool used across centuries by African people from the 18th Century during the Slave Trade to the 20th Century with the creation of the Organisation of African Unity (OAU). For instance, Adi and Sherwood (2003) note that in the 18th Century, activists such as Toussaint L'Ouverture, Olaudah Equiano, and Ottobah Cugoano were all key drivers of the Pan-Africanist movement during the Slave Trade. They advocated the abolition of slavery through humanising Africans because slavery had been spread through the inaccurate perception of Africans as being inferior to other races. Given the conditions in which Pan-Africanism was formed and existed, it is understandable that most of the early scholarship on Pan-Africanism happened in the Diaspora. Adi

and Sherwood (2003) note that Pan-Africanism that originated within Africa started around 1957 with the end of the British colonial rule and it was stimulated by Kwame Nkrumah's career and the independence of Ghana. Ghana's independence became the beacon of hope for the rest of Africa and became the main driving force behind Pan-Africanism within Africa, thus culminating in the creation of the OAU in 1963.

The OAU was made formal on the 25th of May 1963, with 32 member states. The OAU Charter (1963), which championed the unification of African states, also called for the eradication of colonialism and the promotion of sovereignty with political independence. Even though decolonisation was viewed as the main purpose of the OAU at its inception, the Charter also listed cooperation through the harmonisation of member states' policies as one of its other goals. Fast forward to 2001, the OAU was dismantled paving way for the formation of the African Union (AU) whose focus was more on fast-tracking regional integration and also protecting African states from the negative effects of a globalised world. The OAU was crippled by the fact that it was formed with decolonisation as one of its aims and it was not equipped to deal with issues that have emerged in post-colonial Africa. Disbanding of OAU and its failure to tackle Africa's challenges showed the early inability of full commitment to regional integration and the disempowerment of regional integration institutions. Establishment of the AU coincided with the rise of NEPAD. NEPAD's mission is described as "anchored on the determination of Africans to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalizing world" (NEPAD in Green nd:4). NEPAD's mission displays the shift that occurred as a result of the migration from OAU to AU, with a paradigm shift in targets and missions between the former and the new organization.

Bachinger and Hough (2009) perceive regional integration as arriving in Africa in three waves: the first wave is reported to have occurred between the 1960s and the 1980s and the second wave began in the 1990s and the last wave occurred in the 2000s with the creation of the African Union. Africa was not new to this phenomenon, as the Southern African Customs Union (SACU) was actually formed in 1910, making it the oldest customs union in the world. The creation of the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC), the Economic Community of West African States (ECOWAS), and other regional

integration communities, is a drive towards the envisaged 'United States of Africa' by 2030.

The first wave of regional integration, which started around the 1960s, culminated in the creation of the OAU which was inspired by Pan-Africanism, as has been previously discussed. This wave occurred at a time when independence was sweeping through Africa, which meant that most African states were still grappling with the effects of colonialism in the post-independence era. According to Bachinger and Hough (2009), some of those effects include the fragmentation of the African continent because of the borderlines that were demarcated by colonial rulers. The newly independent African states were left with small markets and lacked the capacity and proper tools required to foster development. The creation of OAU was seen as a way through which African states would protect their markets while they grow and develop themselves in the post-independence period.

The 1980s saw a shift in regional integration, with more emphasis on the international and competitive growth as well as aspects of coming together. More importantly, this meant that they became more market-oriented and economically based. In the aftermath of this shift, African regionalism sought to strengthen the power of the region and tried to reassert itself in the global economy, with the assumption that regionalism offers it some leverage while engaging in the global economy. This is what is being referred to as integrative regionalism. The other dimension of African regionalism is autonomist regionalism in which an individual African state participates in the regional agenda of liberalising trade and economics within the region, so that the state could benefit from such potentials. The last dimension of regionalism in Africa has to do with African states' military and security concerns in the region. This is known as defensive regionalism and it entails the manner in which states always seek to protect their local industries when conducting negotiations at the regional and international levels. While experiments have been done with all the three, it is difficult to ignore the overlapping and interlinked dimension of these elements and considerations.

The second wave of regional integration started in the 1990s. This saw African regional integration projects seeking deeper integration that went far deeper than the

regional cooperation that characterised the first wave. The second wave was marked by the Abuja Treaty which gave way to the African Economic Community Treaty of 1991. The Abuja Treaty which went on to be ratified in 1994 set targets for the achievement of an African Economic Community of which the Regional Economic Communities would be ensuring that these goals are achieved. According to Article 6 of the African Economic Community Treaty (1991), there are six stages that should last not more than 34 years in the creation of the community. The first stage is about ensuring that all the states are part of regional economic communities. Stage two, within eight years, requires all the regional economic communities to stabilise tariff and non-tariff barriers with a clear plan of the removal of these barriers. This stage also includes the strengthening as well as the harmonisation of activities within regional economic communities.

Stage three, within ten years, required all the regional economic communities to have a Free Trade Agreement (FTA) in place and also an established Customs Union by way of having a common external tariff. Stage four required all the RECs, within two years, to come together at the continental level and establish a customs union, which would also include a common external tariff. The fifth stage called for establishment of an African common market within four years. The sixth and final stage required the formation on an African monetary union, an African central bank and an African currency all within five years. The 2008 Protocol on Relations between the RECs was created to ensure that RECs are able to harmonise their activities in pursuit of the above. Unfortunately, this timeline has not been kept as outlined in a later discussion of the failures of regionalism in Africa.

The third and current wave of regional integration started in the 2000s and culminated in the creation of the African Union, the New Partnership for Africa's Development (NEPAD) and the launch of the Regional Indicative Strategic Development Plan (RISDP). This wave has resulted in the African continent being home to the most regional integration agreements out of all the continents, thus resulting in a large number of overlapping memberships. Previously, Bhagwati (1995) had coined the term "Sphaghetti Bowl Effect" where he described how states are embroiled in a huge web of regional integration agreements that do not yield the intended growth because of the negative effects involved. These effects include dual membership and the fees

that African states cannot really afford to be paying⁴. This wave is marked by the intention to settle for deeper integration; however, the continent is faced with more challenges in their pursuit of this deeper integration.

For many observers, market integration, which is a model taken from the EU experiment, is what most, if not all, African regional integration projects seem to have emulated. However, as noted earlier, SACU is evidence demonstrating that African countries had embarked on regionalism initiative of this kind way before even the establishment of the EU - the market integration aspect of regionalism. Much has not changed as relatively most, if not all, attempts at regionalism in Africa have been through market integration with the hopes of achieving full regional integration like that of the EU. SADC, which is the case study of this research, is essentially following the same integration line. Rowlands (1998) stresses the importance of belonging to a regional organization as it provides for political security and economic advantage when it comes to bargaining with external powers. The success and failures of this integration in the African context will be dealt with extensively in chapter three for the failures and chapter four for the success. This relates to the notion of drawing strength from numbers, a point Weeks (1996) agrees with, adding that solidarity can help because external powers tend to pit the developing countries against one another. However, as will be reviewed in a later discussion, external powers like the EU have been able to divide and infiltrate the SADC grouping; despite the appearance of solidarity, this has shown us the cracks within such an appearance of solidarity in the SADC region.

The African Union (AU), Africa's main regional organization, has identified and verified eight Regional Economic Communities (RECs). These RECs are: the Arab Maghreb Union (UMA); the Common Market for Eastern and Southern Africa (COMESA); the Community of Sahel–Saharan States (CEN–SAD); the East African Community (EAC); the Economic Community of Central African States (ECCAS); the Economic Community of West African States (ECOWAS); Intergovernmental Authority on Development (IGAD); and the Southern African Development Community (SADC), which is the case study for this study. The AU states that the

⁴ More effects on overlapping memberships to be discussed in a later chapter

formation of these RECs was first proposed in the 1980 Lagos Plan of Action for the Development of Africa and the Abuja Treaty. The main objective of the proposal was “the creation of RECs as the basis for wider African integration, with a view to regional and eventual continental integration” (African Union 2017).

The African Union (2017) states that the RECs are complementary to the work that the AU does and actually form building blocks to what they hope to achieve. The Abuja Treaty particularly notes the symbiotic relationship between the AU and RECs. The relations between the RECs and the AU are also covered under the AU Constitutive Act. The relationship is guided by the following: the 2008 Protocol on Relations between the RECs and the AU; and the Memorandum of Understanding (MoU) on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa.

2.7 Conclusion

This chapter set out to display the major theoretical perspectives that guide this study, namely, intergovernmentalism, neofunctionalism, and the political economy of regionalism. It looked at how neofunctionalism best described the implementation of regionalism in Europe with Haas' (1958) idea of the 'spill-over effect' being the centre of neofunctionalism because it best describes why actors cooperate and move towards integration. This marks a paradigm shift from state-centred power to supranational-centred power that results from the integration, with the EU serving as a typical example of this form of integration. Intergovernmentalism was a response to the loss of sovereignty that resulted from the shifting of power to the supranational entity, marking the shift from integration to cooperation. The political economy of integration, on the other hand, ties into the research in the sense that it seeks to explain the power dynamics that exist at the national, regional and global levels. These power dynamics are crucial in the shaping of regional integration as they shape the direction and composition of the regional organization and most importantly the decisions made along with the actions taken.

The chapter ends with the definition of regionalism as the main theme of the research. It looked at the genesis of contemporary regionalism as it stems from the EU. The chapter went on to differentiate between the old and the new regionalism. This led to the discussion of Pan-Africanism and the creation of the OAU, which led to the adoption of NEPAD. All of this naturally led to the discussion of the waves of integration as they occurred in Africa. Out of the three waves discussed, the third wave is important to note as it carries all the future plans of the region and the roadmap that the region has currently adopted in its pursuit of the idea of a 'United States of Africa'.

CHAPTER THREE

THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)

3.1 Introduction

This chapter discusses the crux of the matter that this study seeks to investigate in response to the research questions. It begins by exploring SADC's institutions, namely the Summit, the SADC Tribunal, the SADC Troika, the SADC Secretariat, the SADC National Committees, as well as other important institutions within the regional organization. The chapter focuses on the functions of these institutions as well as the scope of power that each of them possesses. It further reflects on South Africa's position within the SADC region because of its economic might, which renders it the region's hegemony. The chapter examines the power and influence that South Africa has and also looks at how this affects the region going forward.

Most importantly, this chapter introduces all the significant challenges that SADC faces, and this has been done by separating the discussion into three sections. The first section looks at the challenges that SADC faces with regional integration itself, thus, the study investigates the challenges that, in their very nature, challenge the regional integration project. The second section concentrates more on the challenges hampering SADC's economic integration prospects. The last session deals with the challenges the region faces with regards to political and security cooperation in the face of the prolonged DRC civil war and Zimbabwe's socio-economic and political instability.

3.2 SADC membership

SADC's membership started with the Frontline States, which later formed SADCC that transformed into modern day SADC as explained in section 1.4. (SADC 2012). The initial nine members were Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia, and Zimbabwe. Namibia joined in 1990, South Africa

in 1994, Mauritius in 1995, DRC along with the Seychelles in 1998, and Madagascar in 2005. SADC's membership is generally based on the geographical location that all the member states occupy within Africa. Angola and the DRC which both lie in Central Africa might be seen as a move away from the Southern African geographical location reason for membership. One explanation of this is the overlapping membership phenomena discussed in detail in Chapter 4. This also applies to Tanzania, which falls within East Africa but is also a member of SADC.

Turning our attention to how the membership of SADC affects the integration process, one has to look at the geographical location of the member states and the trade challenges or opportunities it offers. Six of the SADC member states are completely land locked, namely Botswana, Zimbabwe, Lesotho, Swaziland, Malawi, and Zambia. Even though the other states have access to the oceans it does not mean that they have ports and transport systems suitable for ease of movement for global trade. Nabee and Walters (2018) mention that the SADC region has eight major port gateways, namely Durban, Cape Town, Port Elizabeth, Walvis Bay, Maputo, Lobito, Dar es Salaam, and Mauritius. Three of these ports are located in South Africa with Durban being the dominant port within the region. So, this means that South Africa's position within the region is further strengthened as most SADC member states rely on its ports for global trade. The implications of this power are discussed further in section 3.4 of this chapter and also on the section where the Zimbabwean crisis is discussed in Chapter 5. This is only one element that is affected by the locations that the states occupy within the region and it points to the heavy emphasis of strengthened trade ties along with an improved transport system.

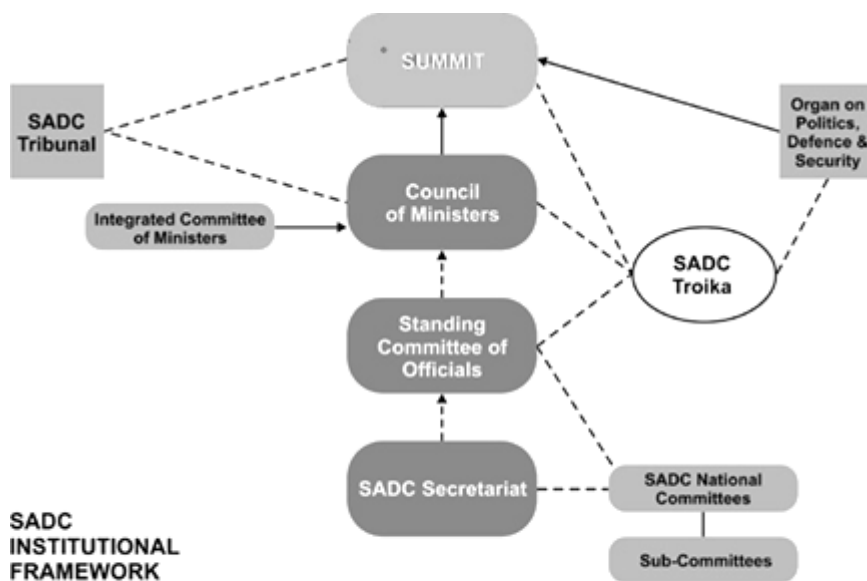
3.3 SADC's institutional and organizational structures

The major driving forces underpinning SADC⁵ are the Summit, the Council of Ministers, the Integrated Committee of Ministers, the Tribunal, the SADC National

⁵SADC, *SADC Institutions, 2012*, [website], <https://www.sadc.int/about-sadc/sadc-institutions/> , (accessed 15 June 2019)

Committees, the Standing Committee of Officials, and the Secretariat. Each of these organs has its own functions and operations, and sits at different layers of the organizational hierarchy. Figure 1 is a visual presentation of SADC institutions and how they function and who they report to. Another explanation would be DRC's sheer land mass which falls within both the southern and central African regions.

Figure 1: SADC Institutional Framework



Source: Smit (2015)

According to SADC⁶, the main institution is the Summit, which houses the heads of state and leaders. It is responsible for policy direction and design, as well as controlling the functions of the regional body. The Summit normally meets once a year where a new Chairperson and Deputy Chair are elected. This is the body that makes the major decisions, which means that decisions that are time-sensitive may not be dealt with in time, and/or they may stand to fall out of time when the Summit meets. To circumvent such an eventuality, the organization has a provision that states that the Summit can meet upon a request made by a member at any given

⁶SADC, *Summit of Heads of State or Government, 2012*, [website], <https://www.sadc.int/about-sadc/sadc-institutions/summit/>, (accessed 15 June 2019)

moment. The Summit consists of the SADC Troika, which is made up of the current Chairperson, the incoming Chairperson and the outgoing Chairperson.

The creation of the SADC Troika on Politics, Defence and Security is important as it manages politics, defence and security; it is an organ mandated by SADC to maintain peace and security within the region. The Troika is constituted in a manner that enables it to rapidly respond to crises. Since getting the Summit together at short notice would be highly difficult, the Troika's small number can meet easily making it possible for the Organ on Politics, Defence and Security to be able to intervene in that particular situation.

The other important organ is the SADC Tribunal. According to SADC⁷, the SADC Tribunal was created to ensure proper interpretation of the SADC Treaty along with other SADC instruments and through that interpretation, member states would adhere to the treaty. The groundwork for the creation of the SADC Tribunal was initiated through the signing of the Protocol on the Tribunal that occurred during the 2000 Ordinary Summit that took place in Namibia. The Tribunal was officially established on the 18th of August 2005 in Botswana and then, on the 18th of November 2005 in Namibia where the Tribunal is based, the swearing in of its members was undertaken. The Protocol on the Tribunal maps out the composition and constitution of the Tribunal in the following way; ten judges from member states, the judges hold the highest judicial offices in their states; five council members, which shall be designated as five regular members that sit on the Tribunal when a regular member is not available; the Tribunal can have three members unless it decides to have a full bench of 5 members; The President of the Tribunal is responsible for the selection of members that listen to cases that are brought to the Tribunal; The Tribunal can propose to the Council an increase on the number of the members; The Tribunal cannot be constituted by two or more members that are from the same state.

The Council of Ministers is another SADC organ, which oversees the proper implementation of SADC policies and programmes. Its mandate involves ensuring the smooth functioning of the organization and overseeing development in SADC, in

⁷SADC, *SADCAT, 2012*, [website], <https://www.sadc.int/about-sadc/sadc-institutions/tribun/>, (accessed 15 June 2019)

accordance with the organization's policies and plans of action. This organ is made up of Ministers from member states; they are usually constituted of Ministers from the Economic Planning, Finance, or Foreign Affairs portfolios of member states. The Council usually meets twice a year; one, during the beginning of the year, and then, in the period before the Summit is due to meet.

The Sectoral and Cluster Ministerial Committees comprise Ministers from the member states, and these have extensive function, which includes overseeing the main regional integration and ensuring the implementation of the Regional Indicative Strategic Development Plan (RISDP). The composition of this committee is substantially larger than that of the Council of Ministers, as it includes more government portfolios from each of the SADC Member States. The Standing Committee of Senior Officials is another important organ of the organization, which acts as an advisory body for the Council of Ministers. This organ is made up of one permanent member from each state; and customarily, individuals for this committee are assigned based on experience in handling portfolios on economic or finance issues in their respective countries.

The SADC National Committees are instrumental in mediating the national interests of a country at a regional level. The committees provide the function of national inputs on regional policies and works to ensure that regional projects are applied accordingly at the national and regional levels. As Kaunda (2008:79) explains, "the national committees are supposed to be formed in each member state, and to consist of key stakeholders – that is, government, the private sector, civil society, non-governmental organizations, and workers' and employers' organizations". There had been little progress in the setting up of these national committees, with most of them being rendered incapable of fulfilling their main function, which is to implement the RISDP. An example of such committees is the SADC Committee of Ambassadors and High Commissioners.

In as much as SADC does not have its own parliament, it does have a body that seeks to perform some of the functions that a regional parliament would. The SADC Parliamentary Forum, though not a substitute for a regional parliament, was established to improve regional integration through the use of national parliaments.

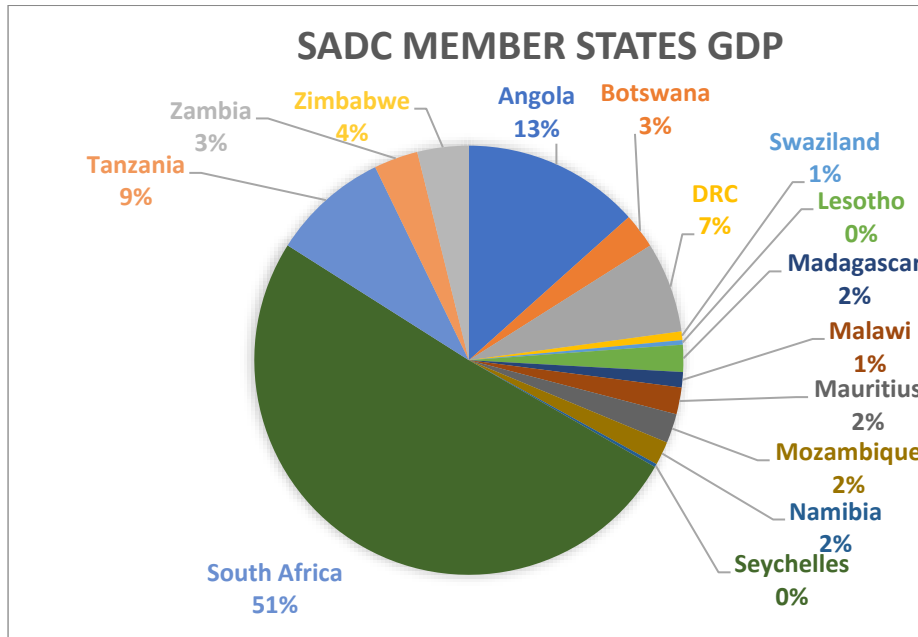
Its most important task is liaising with the parliaments of the member states, ensuring that the national parliaments themselves play a key role in the region's integration. The SADC Parliamentary Forum is composed of not more than five representatives from each member state and these are voted into positions by the national parliament to represent the member state in the Forum.

The last SADC organ is the Secretariat, which is the organization's executive body responsible for the planning, co-ordination and management of programmes under the auspices of SADC. It is headed by an Executive Secretary elected by the Summit to serve for a period of four years.

3.4 South Africa's hegemony in SADC

As mentioned in previous sections, the SADCC (SADC's previous form) was an initiative created to counter the dominance, effects and influences of Apartheid South Africa on the Southern African states. South Africa has now become part of SADC and is championing the integration of the region as a regional superpower. This is seen by many observers as significant not only for regional integration but also for African integration as a whole. Chingono and Nakana (2009) note that South Africa's transition has allowed it to transform from being the state with one of the biggest conflicts in the region into being one of the 'greatest' peacemakers in the SADC region and Africa as a whole. South Africa's membership to SADC has both positive and negative implications for the region because of the size of its economy, which dwarfs the economies of other member states (see Figure 2 below), and its hegemonic status within the region.

Figure 2: Share of GDP for the region by each member state



Source: SADC (2019)

The above graph displays the contributions of each SADC member state towards the total GDP of the entire SADC Region as of 2019. South Africa, as the region's economic powerhouse, has the biggest contribution towards the region's GDP, which constitutes 51% of the total regional GDP; Zimbabwe contributes only 4% to the region's total GDP. Angola contributes 13%, which is the second after South Africa. These statistics show the gap and inequalities between economies in SADC and just how far behind some economies are in terms of growth. The above figure, which captures the 2019 statistics, in fact, shows good progress compared to the ones recorded in 2008. Using the 2008 data, Chingono and Nakana (2009), indicate that South Africa represented 70-80% of SADC's total GDP. This decrease in the lion's share regarding South Africa's contribution to SADC's total GDP means that other economies are catching up. With regard to intra-regional trade, the situation is also the same.

Bronauer and Yoon (2018) reported that South Africa maintained its hegemonic position in trade with 67% of all intra-regional exports with 33% of intra-regional exports being held by other SADC member states. UKAID (2014) also recorded that the same situation obtains even when it comes to intra-SADC trade; it is one dominated by the South African economy; South Africa enjoys a lion's share (68.1%)

in terms of exports to the region, with Angola occupying the second position at 8.5%. With regards to SADC's intra-trade imports, Zimbabwe constitutes the biggest share, at 23%, and it is followed by Botswana, South Africa and Zambia with 17.9%, 14.8% and 14%, respectively. Zimbabwe is the largest importer, a scenario which is reflective of its troubled economy and its failed sectors, which transformed it from being an exporter of food to being an importer.

South Africa's economic prowess is also evident in the huge trade deficit that exists between it and all the other member states. For instance, Arndt and Roberts (2018) estimated that more than 80% of the products sold in Zambian supermarkets are imported from South Africa. This gap is further shown by SADC's combined Growth Domestic Product (GDP) and this demonstrates that South Africa is responsible for the bulk of the contribution. The Africa Union Commission (2016) found that South Africa was responsible for 61% of the entire SADC region's GDP. With the existence of SADC, one would hope that this gap would have lessened as the organization gets older and the integration gets deeper. This paints a skewed picture of South Africa's hegemony as the country is still pulling even more ahead of its member states.

Despite the fact that the above figures are suggestive of the growing economic integration and interdependence, the difference in size is quite substantial. It represents the unequal trade patterns, within which South Africa, as the largest economy, stands to benefit the most from SADC trade initiatives, at least in the interim. This, however, should not be misconstrued to mean that the smaller economies are losers, but rather, they tend to benefit the least from such initiatives in the short and medium terms.

3.5 Overview of issues facing SADC members states

In discussing some of the main problems that affect SADC in its pursuit for regionalism, it is also important to have an overview of the issues that SADC member states experience. These issues might be country specific, or may be transborder and spill over to neighbouring states and some are region wide issues that SADC is tasked to help with alleviating. Some of these challenges are not isolated to the SADC region or Africa as a whole but there are present even in first world countries and

also the much stronger regional integration organizations. This study does not focus on all the issues but just a few to draw a picture of what the region is facing but most importantly it will just be an overview. Some of the issues are poverty, youth unemployment, HIV and AIDS pandemic, illegal immigration, cross-border crime, as well as other issues that the region is faced with.

Mlambo and Adetiba (2020) aver that migration within Southern Africa is nothing new as it bound together the colonies throughout the mid-nineteenth century creating a regional labour market. This labour market became important for the mining sector that existed at the time but now with the threat of terrorism and other cross-border crimes, countries are trying harder than ever to ensure security at their borders. With regards to illegal immigration, majority of it occurs between Zimbabwe and South Africa. South Africa's recent 2011 Census showed that 4.2% of the population was made up of migrants and of that number 68% came from SADC states (Sikhakhane 2020). Numbers on illegal immigrants are a bit tougher to gauge because the people are not documented so numbers tend to be exaggerated. In as much as the illegal border crossings are well covered in the media and much has been made about the South African border, an exact number cannot be tied to the amount of people that have entered. With the ease of illegal migration so are the cross-border crimes that take place between member states.

When it comes to the HIV and AIDS pandemic, Avert (2020) found that the East along with Southern Africa accounted for 54% of the people in the world living with HIV despite the fact that these regions are only home to 6.2% of the world's population. New infections in the two regions however have decreased by 28% when compared to 2010 and the number of deaths that are a result of the HIV pandemic are also down 44% in the same period. In as much as these figures show improvements, they still show the region's challenge with HIV as it still leads the world in most metrics that have to do with this pandemic. Another welcomed improvement that Avert (2020) noted is that 85% of people living with HIV in 2018 knew their status and 78% of them were on treatment for the virus and these numbers show a positive move towards the UNAIDS' 90-90-90 targets.

When it comes to unemployment and most importantly youth unemployment, SADC is really battling with cultivating economies that will decrease the unemployment rate. “With an average unemployment rate of 7.58% and a youth unemployment rate estimated at 13.47%, the SADC, economic region of Southern Africa, present one of the highest levels of unemployment among economic regions in the world, this comparatively to developing countries” (Adjor & Kebalo 2018:66). The struggle with youth unemployment for the region is quite evident with South Africa alone hovering at more than 50% percent from the period of 2012 to 2019 (O’Neal 2021). This shows how significant the issue of unemployment is if the region’s super power is one of the hardest hit. This issue along with the others named above fall under SADC’s scope of issues to be dealt with, it is also important that other national issues that states face are pushed through to the regional level.

3.6 Regionalism challenges in SADC

As mentioned earlier, SADC is working towards the same goals as the AU, so the scope of challenges that these two institutions are facing should be more or less the same. There are numerous issues and challenges impeding regionalism in Africa. The internal constitution of the member states in a regional organization certainly has an implication on the regional integration initiatives. Capturing a number of challenges AU member states face, Adeniyi (2016:86) writes:

“The crux of all the identified challenges in African Union member states is insecurity and incessant conflicts, overdependence on foreign aid, corruption, political instability/inept leadership, inadequate infrastructural development, still narrowed in all and major lack of good governance.”

Adeniyi (2016) identifies a broad spectrum of problems that affect Africa at a continental level. These are also challenges that naturally permeate to the other regional bodies in Africa; and thus, impeding them in their regional integration initiatives. Sakyi and Opuku (2014) identified the challenges hampering regionalism in Africa and these replicate the ones noted by Adeniyi (2016). For Sakyi and Opuku (2014), the following challenges impede regionalism in Africa: multi-memberships and duplication of programmes and procedures; the transportation and mobility of the factors of production; minimal intra-regional trade; conflicts; and macroeconomic divergence. Similarly, Cattaneo (2008) examines the Eastern and Southern African

regional integration initiatives, pointing out the following as the challenges stifling regional integration initiatives: overlapping memberships; tensions between the regional communities (COMESA, SADC, SACU) and the agreements they negotiate with externalities; states' lack of institutional capacity and political will to advance regionalism. Multiple memberships or overlapping memberships will be examined in greater detail, but they refer to how countries are members to different regional organizations that have similar and sometimes contrasting goals and programmes.

The issue of minimal intra-regional trade refers to the fact that countries like South Africa, for instance, trade more with the EU than they do with other regional states and this will also be dealt with in greater detail in a later discussion. The issue of negotiations with externalities will be looked at in great detail in a later chapter. The main focus of that discussion will be on how South Africa negotiated unilaterally with the EU even though it affected other SACU members. Conflicts are the skirmishes that have raged on in countries such as the DRC; these include other conflicts that have sprung up in other member states, rendering it difficult to properly undertake trade and implement regional programmes.

It should be noted that challenges that individual states face and the challenges faced with regional integration, form a combined force to determine the course of RI. These challenges and constraints are not uniformly distributed across the continent; thus, it is imperative to pay attention to the regional dynamics, structural links and internal constitutions of the states in the region. The suggestion here is that some of the challenges noted above may or may not apply to the SADC region, and it is important to pay attention to the specific historical and material conditions of this regional organization and its member states. Aside from these issues, political commitment is another crucial consideration. As Söderbaum and Taylor (2008) suggest, there is a lack of commitment to regional integration due to the fact that the political and economic elites controlling the state are prioritising self-gain as they lead their respective states. They are not motivated to ensure the success of the integration process since they do not have much to gain personally from the practice.

Needless to say, identifying the challenges is a crucial step towards finding suitable solutions to the problems affecting the region. In this sense, identifying and isolating

these problem areas and hurdles to RI is a test in itself. Whether RI is the best way to address both internal and regional challenges, and how these challenges themselves pose a problem to RI, are not subject to interrogation here. Instead, these are considered to be interwoven dynamics determining the course and outcome of RI.

One of the challenges facing RI in SADC, like most of the continent, is states' structural linkages with the former colonial powers, which has tied their economies and politics away from the region. In addition to this, some regional states tend to favour globalisation by integrating more and more into the global economy rather than integrating regionally. As a result, diminutive bonds, if not complete fragmentations, have become one of the main features. For this reason, states miss one of the most prominent purposes of integrating regionally, and then integrating globally as a unified force, which could help ease some of the negative effects of globalisation. Chingono and Nakana (2009) lament the negative impacts of globalisation, driving the World Trade Organization (WTO) the International Monetary Fund (IMF), the World Bank and other multilateral agencies onto the African states. They point out that the WTO, the IMF and the World Bank together manipulate the international trading and financial systems, which further marginalises the periphery. The system is skewed in that the states that generally produce raw materials including minerals in the SADC region do not determine the price, but it is the buyers (core developed countries) that determine the price.

Within these structures of global domination is the hierarchy within the SADC region. South Africa most prominently features as the dominant state – a semi-periphery – to use the conception of the World System Theory. Asymmetric trade and economic relations are conditions of the above, which opens the region to competition and contestation. As things stand, neo-realism appears to be what informs inter-state relations in the SADC region, and creates a significant challenge to SADC as a regional integration experiment. Instead of looking for collective benefits and complementarities, these states are seeing individual benefits they can extract from such regional cooperative enterprise.

As Sakyi and Opuku (2014:7) put it, under such conditions, “in face of cooperation, a country having the sentiment of insecurity is more interested in who will gain more from the cooperation.” Among SADC member states, this is less subtle, as states seem to be driven by self-interests rather than regional interests and they tend to make decisions that benefit them even if they harm their regional grouping. One such example is how South Africa unilaterally negotiated the Trade Development and Cooperation Agreement (TDCA) in 1999 with the European Union rather than through and with the SACU. A few years back, Botswana was engaged in bilateral negotiation with the EU to establish an Economic Partnership Agreement, which is more about access to market, which irate the other member states, particularly South Africa.

Mapuva and Muyengwa-Mapuva (2012) identified seven main challenges that stall regional integration in the SADC region. The first is the over-ambitious targets the region has set for itself and how it has failed to implement them. For instance, in 2000, the SADC Trade Protocol was signed by 11 out of the 15 members, and amongst other things, it had hoped for 85% intra-trade liberalisation by 2008, the formation of a Customs Union by 2010, and a move to 100% of trade liberalisation by 2012. This would be followed by the formation of a Common Market by 2012, eventually a Monetary Union by 2016 (Chingono & Nakana 2009). However, all of these deadlines have since been missed and postponed. This begs the question whether the plans are too ambitious, or there is a lack of commitment on the part of member states to ensure that regional integration plans and goals materialise.

The second challenge that Mapuva and Muyengwa-Mapuva (2012) identify is the issue of overlapping memberships, which is notably not a new practice among African states but dates back to the colonial times which coincided with the first wave of regionalism. They argue that overlapping memberships is a source of confusion, as it allows duplication of duties and actions as well as competition amongst the regional integration blocs. This is inevitably unhelpful to the member states, and more importantly, this practice creates an unnecessary burden on the fiscus of member states, as they must pay fees for multiple memberships and, at times, to embark on duplicated projects for the various blocs.

The third challenge they identified is the heterogeneity and asymmetries of the SADC member states' economies. Undoubtedly, each regional state is unique; and despite the shared history, they possess different historical trajectories. This translates to differentiated constitutional and economic progress. Along with this, negotiations and cooperation are framed by competition and shaped by the desire by the more powerful states to determine the course and outcome of the region's trajectory. For example, South Africa, as the regional powerhouse, appears to have the upper hand when it comes to negotiations and often dictates its terms to SADC. Another issue is that the more powerful states usually gain more, further perpetuating trade imbalances that increase the gap between weaker and stronger states. Compounding this weakness are the structural flaws in most of the economies of SADC states, which are not diversified enough and heavily reliant on trade in primary or raw commodities. Chingono and Nakana (2009:406) insist on the need to transform these economies:

“There is need for a fundamental change in development strategy and a transformation of SADC economies from being mere producers of raw materials and passive consumers of manufactured goods into dynamic and industrially diversified economies.”

Zondi and Mulaudzi (2010) also share the same sentiment and add that the problem with the heavy reliance on natural raw resources is that the prices are influenced by external shocks and price fluctuations. It is even more alarming when the state's economy is heavily reliant on natural minerals, which are finite and, whose prices fluctuate erratically.

The fourth challenge relates to member states' different levels of economic development. This has close affinity with the points noted above, which alluded to the heterogeneity of the economies. South Africa, as the largest economy in SADC, also accounts for 70% of the intra-trade that occurs within the regional bloc. This also helps South Africa to exert and flaunt its power in the region, as shown by its ability to go against the regulations enshrined in the agreements with little or no repercussions. This obviously should not be the case, and this shows signs of an agreement that is not only one-sided but shows that even though they are equal as member states, other member states have the upper hand within the regional bloc.

The fifth point borders on the concurrent existence of SACU and SADC. This concern arises owing to the incidence of overlapping memberships. However, this observation exudes the fact that these two unions exist in a similar geographical location regardless of being composed of different member states. This situation, thus, creates conditions that see states that are part of both organizations being caught between the two institutions with competing prerogatives and objectives. Such conditions are likely to create divisions among the member states. A case in point is how SACU negotiated Economic Partnership Agreements (EPAs) with the EU on its own rather than in collaboration with SADC, both as a stakeholder and the bigger bloc. This is despite the fact that all SACU members are also SADC members.

The sixth challenge that Mapuva and Muyengwa-Mapuva (2012) identified is the failure by SADC to establish an efficient and effective collective regional justice system or mechanism. This refers to the SADC Tribunal, particularly its rise and fall. Consequent to the Zimbabwean chaotic land reform case that was brought before the Tribunal and the ensuing political tensions and contentions, SADC voted for the suspension of the Tribunal. The ruling of the SADC Tribunal was against the Zimbabwean government, which was rejected by the government and other states, opening up the space for political rifts and disagreement on the matter⁸. The Protocol on the Tribunal (2000), in Article 15 that deals with the Scope of Jurisdiction, clearly states that individuals from member states, after exhausting all their domestic judiciary avenues, can bring their grievances to the Tribunal. More importantly, the Protocol makes it clear that the Tribunal would hear disputes between people and the state or disputes that occur between states. This case and the political rift that ensued are indicative of the failure of SADC to defend one of its important organs and its ruling. This retarded the Tribunal's power as a mechanism for the adjudication and resolution of disputes in the SADC region. The SADC Tribunal was an instrument that had the potential to deal with the grievances of individuals and entities in the event that their own country and the domestic judiciary could not set things right.

⁸ This will be touched on during discussions on the relationship between Botswana's President Ian Khama and Zimbabwe's President Robert Mugabe in Chapter 5.

The last challenge that Mapuva and Muyengwa-Mapuva (2012) identify pertains the Rules of Origin, which have proven to be very complex during the time of the negotiation of the SADC FTA. SADC (2003) explains that the Rules of Origin are a set of criteria that were created to establish whether goods that are being traded by SADC countries originate from these countries to determine eligibility for preferential tariff treatment. SADC's Protocol on Trade (2000), specifically the rules in Annex 1, specifically details how products are specified as originating from a member and which products cannot be categorised as such.

Despite appearing to be a great initiative, these Rules of Origin have led to restrictions whose consequence seems to hinder progress. SADC's institutionalisation of the Rules of Origin and its implementation, as Milestones (2012) points out, Rules of Origin have posed a serious challenge to the organization because member states have their own ways of determining the Rules of Origin and, in a globalising and globalised world, the importance of harmonisation is very important to ensure there is consistency in the region. These challenges are all evident as they do have a negative effect on SADC's integration project. The key question is, what is SADC doing or should do to get over these challenges? These issues point to the immense challenges that SADC faces. As an organization that was created to address at least some of these problems, these feature as a hurdle standing in the way of the organization's mandate and projects.

Chingono and Nakana (2009) have engaged in a similar exercise of examining the challenges that SADC faces as a regional integration initiative. For Chingono and Nakana (2009), the challenges to SADC's integration project are: nationalist rivalry, incompatible economic and political systems, mono-culturally agro-based economies, debt and dependency, unjust international economic structures, uneven benefits of integration, and multiple memberships to regional economic communities. Further, the lack of grassroots support, poor economic and political governance, disaffected stakeholders, the end of the Cold War, globalisation and its ambiguities, and paradigms of integration.

Having pointed out the challenges that SADC faces, Mapuva and Muyengwa-Mapuva's (2012) conclusion is that SADC's regional integration project is becoming

more and more difficult to achieve. Chingono and Nakana (2009) argue that even though SADC was created three decades ago, the Southern African population still finds itself in more or less the same position it was prior to the creation of this body. For instance, the SADC FTA, through the RISDP, was initially supposed to be up and running by 2008; however, it delayed by four years and only achieved the maximum tariff liberalisation in 2012 and that marked it as being fully functional. This delay meant that the Customs Union that was meant for 2010 was also postponed, which resulted in SADC having to revise the RISDP in 2015⁹.

The very fact that SADC is falling behind on its RISDP plans directly translates to planned projects and targets not being met which implies that SADC is not realising its mission statement. The implications of this failure are far-reaching as they extend to Africa as a whole because the targeted stages of integration are all tied to the plans of the African Economic Community. In as much as RI has faced the challenges outlined above, this does not take away some of the gains that integration has brought to the SADC region. Although some scholars see it as a failure and more of a problem than a solution to African problems, this does not mean attempts at RI should be abandoned all together. The limited benefits and progress RI has produced, in the case of SADC, should not be downplayed, but should be seen as a steppingstone to greater achievements.

Chingono and Nakana (2009:398) argued that one of the challenges hindering regional integration in Southern Africa is the lack of clarity and consensus as to what regional integration is and how it can be developed. This may not be entirely accurate as the bulk of the challenges that the region faces result from inability to execute plans in a timeous manner. This argument holds sway because the RISDP had a clear plan as to how regional integration would be achieved, but what has plagued the region is the incapacity to execute such set plans. For instance, Arndt and Roberts (2018) found that even though regional trade had increased in the SADC region, regional transport and logistical costs are still among the highest in the world, compared to other regions. This brings into question the institutions that have been

⁹ The RISDP will be discussed in greater detail in a later discussion

established to execute the initiatives that are agreed to, for instance, in initiatives like the RISDP.

Saurombe (2012) looked at how SADC institutions are not independent from the member states, with the SADC Summit vested with the power to revisit or overturn any decision made by any of the SADC institutions. An example of this would be the Summit's failure to uphold the findings of the SADC Tribunal on the much-contested land reform programme in Zimbabwe. This is despite the fact that the Tribunal's decisions are supposed to be binding according to Article 16 of the SADC Treaty.¹⁰ Saurombe (2012:475) argues that "[t]he current SADC institutional structure is not supranational because it is not independent of individual Member States". Southern African leaders' reluctance to relinquish some aspect of their sovereignty in order to create completely independent SADC institutions is at the heart of this problem. In effect, the various SADC organs should not be influenced by member states in their functions, which would have made SADC a powerful supranational entity.

Nyakudya (2013) adds that the region has states that are experiencing uneven political and socio-economic development. This reality, coupled with the fact that it is states that are unwilling to submit to a higher entity and take instructions from it, is one of the reasons as to why it is hard to establish deeper integration. The EU as a model for most regional communities "represents a new form of political order in which authority is dispersed and sovereignty is shared" (Keating & Loughlin 2004:27). SADC, however, has not been able to shape itself this way, even though it seeks to emulate the EU's model of regionalism. The first major difference between SADC and the EU can be seen in SADC's Treaty, which has all the power vested in the Summit, but in the EU, power is distributed amongst the institutions and organs of the organization.

3.7 Challenges facing SADC's economic integration

There are numerous factors at play in shaping and framing the challenges hindering regionalism in Southern Africa. These factors range from the nature of the state

¹⁰ The Tribunal issue is covered in detail in a later discussion.

formation in Africa to economic and political developments, policy and structural diversity, et cetera. The following discourse outlines some of these factors, drawing on and reviewing research on regionalism on the continent and the region. Geda and Kerbert (2008, quoted in Darku & Appau 2015:45) suggest that the success of Regional Trade Agreements (RTA) in Africa is limited by the lack of harmonised macro-economic policies and infrastructure, limited scope of trade commodities, and overlapping memberships in RTAs. Although Geda and Kerbert (2008) are looking at the trade aspect of regionalism, their studies apply to the case study for this study because it is market integration-centred, with hopes of a move towards a deeper integration later.

Lee (2002) suggests that the conditions set by Neo-Liberalism have significantly hampered the development of regionalism among African states; it has pushed such projects backwards. The removal of trade barriers, for example, has resulted in more trade with the developed West rather than the intra-regional trade that was supposed to be promoted. This is attributed partly to the lack of a proper transport infrastructure and networks, which often renders transporting costs higher regionally than they are to Europe. Just like the heterogeneity of their economies, it comes as no surprise that the issue of transport infrastructure is the same for the region. The 2016 African Regional Integration Index (ARII) revealed that SADC's average score was low, and it was significantly "pulled down by a gap in regional infrastructure."¹¹ The importance of a good regional and local transport network for regional integration cannot be underestimated.

Considering the neoliberal situation that Africa finds itself in, there are two conditions worth noting. On the one hand, the economies of African states were established to service the colonial economy and its industries, a scenario that continues to define these economies. On the other hand, with the thrust of globalisation, African countries have also been predisposed to favour integrating globally rather than regionally. This is, for the large part, based on the perceived gains of integrating globally. For example, South Africa willingly went against its SACU membership and negotiated

¹¹African Regional Integration Index, *SADC: Southern Africa Development Community*, [website], <https://www.integrate-africa.org/rankings/regional-economic-communities/sadc/>, (accessed 15 November 2019)

and signed the EU/SA Free Trade Agreement, knowing very well that this would negatively affect all the SACU member states. South Africa seems to be the one benefiting the most from SACU compared to other member states as Söderbaum (2004) points out that all important trade policies for the customs union are determined by the South African Board of Tariffs and Trade which other members are not a part of. This further shows the skewed nature of the South African Customs Union and the hegemonic power that South Africa has in the region along with the benefits that its position brings to it. This certainly goes against what Weeks (1996) and Rowlands (1998) stressed about the need for solidarity, which helps bring an advantage and leverage when dealing with external powers.

In a nutshell, the combined effects of the structural limitations set by the rigid outward linkages and engagements are weaker regional economic and trade integration, as well as the limited collective power to negotiate and counter the negative effects of globalisation. This consistently features as a major problem in Southern African states. As colonial outposts and economies that are, for the large part, dependent on mining and commercial agriculture, these countries' frame of reference is, and their bond is stronger with, their former colonial masters than with each other. The very limited structural linkages and any economic relations that exist among them have always been only meant to serve the purpose of extracting resources. The challenge for SADC is thus how to break out of this mould to ensure sustainable regional integration. This is not to suggest that they should break away from the existing global linkages, but rather, they should scrupulously build an inward-looking economic and trade integration based on complementarities.

In order to achieve the above they have to begin with the recognition of what happens in the neighbourhood with its ripple effect on the region. For example, as Lee (2002) points out, the Zimbabwean crisis and the ensuing political instability had a negative impact on its regional neighbours. This impact has been felt on the South African economy, leading to the weakening of the rand as investors negatively reacted to these developments. For instance, trade between the regional neighbours has been affected because the political instability in Zimbabwe has rendered the movement of goods in that country even harder, which exacerbated the already tough transport system the region is facing.

Like most African regionalism initiatives, SADC's regional integration project is characterised by a significant push for market integration (Lee 2002). The regional bloc's performance on trade integration and productive integration (which are deployed as indicators of market integration by ARI Index) are very low.¹² There are several factors hampering this initiative. In this regard, finding common and agreeable terms has become a mammoth task. For example, in an IMF Working Paper, Khandelwal (2004) singles out the nature of SADC's Rules of Origin. According to Khandelwal (2004:12), "...the Rules of Origin in SADC have become restrictive and product-specific under pressure from member states...The complicated and restrictive Rules of Origin are likely to increase administrative costs and will make it difficult for exporters to take advantage of SADC preferences". On the other hand, SADC Major Achievements and Challenges (2005) also acknowledged how the Rules of Origin were the hardest to negotiate during FTA negotiations since they are product specific. As GoBotswana (2019:1) explains, "The SADC Rules of Origin are product-specific whereby each tariff heading is assigned one or several criteria to be fulfilled for origin to be conferred." This means that during the negotiations, there could not be a blanket agreement that would cover all products, but each product had to be looked at individually since the Rules of Origin were different for each product.

In addition to this, the document suggests that non-tariff barriers are prohibiting the region in realising its regional trade potential (SADC 2005). Khandelwal (2004) also identifies other factors that hamper SADC's sturdier market integration initiative. These factors are "distorted trade regimes, high transaction costs due to inadequate transport, information and communication infrastructure, lack of political commitment and frequent policy reversals, difficulties in implementing harmonization provisions, multiple and conflicting objectives of overlapping regional arrangements, and limited administrative resources" (Khandelwal 2004:19).

¹² Both scores on these are very low – below .35 [0 as no integration and 1 as perfect integration] African Regional Integration Index, *SADC: Southern Africa Development Community*, [website], <https://www.integrate-africa.org/rankings/regional-economic-communities/sadc/>, (accessed 15 November 2019)

Another hurdle to the prospect of deeper integration is that most SADC countries heavily depend on trade tax as a form of revenue. This is, of course, one of the effects of lack of diversity in the economies of most SADC countries. Bósl et al. (2008) emphasise this point by using the examples of South Africa and Mauritius that are not reliant on import tariffs as a source of revenue, but rather, they impose these tariffs as part of their industrial policy in lieu of a trade policy. By contrast, Malawi uses import tariffs as an integral part of its trade policy, and thus, the push for liberalisation in that country has posed significant challenges to its fiscus and its fiscal policy.

While exploring the effects of the recent global economic crisis, Soko et al. (2010:179) identify a number of pressing challenges plaguing the region after this crisis: “[e]mployment and socio-economic development in the SADC region; declining domestic and global demand for goods produced in the region; low levels of domestic and foreign investment in the SADC countries; and declining national revenue levels in the SADC economies”. The global economic crisis started in the developed world and it was hoped that there would not be a substantial spill over to the periphery states. However, this was not the case as this economic crisis had a negative effect on the SADC region, resulting in negative growth for member states.

Considering the challenges affecting economic integration in the SADC region, Fuma (2010) pointed out three challenges that hamper SADC’s affiliation to a customs union. Firstly, most SADC member states are heavily reliant on revenue from tariffs. A customs union, which would entail the loss of policy autonomy on the part of the states, and resolving the tensions between national and regional interests, would be hard to achieve. The second challenge is overlapping memberships, which suggests the impracticality of a country being part of two customs unions. The existence of SACU as a customs union within the region is also troublesome form SADC’s own custom union creation. The idea of expanding the SACU customs union to SADC has its own challenges since the customs union is currently struggling with the revenue sharing formula, coupled with the problem of the development status of the least developed countries in the union. The last challenge that Fuma (2010) identifies is the difficulty characterising the establishment of a common external tariff as SADC, since all member states have different tariff conditions. This challenge resonates with

the first one since it deals with the establishment of new tariffs and allowing a unified decision on and the application of those tariffs.

Lee (2002) focuses on the failure of market integration on the African continent and puts forth eight points as to why he believes it has failed to achieve what it had set out to achieve. These points are:

- The lack of economies of scale within the continent along with comparative advantage between the countries
- The huge economic gap that exists between the African countries
- The disparity when it comes to the distribution of benefits, where the regional giants gain more in integration projects than other members
- The counter productiveness of the implemented Structural Adjustment Programmes to regional integration projects
- The overlapping regional integration memberships that countries hold and the contradiction of goals and objectives that the different organizations they are in have
- The somewhat evident lack of political commitment for regionalism that, from time to time, shows itself
- The reliance on external donors to fund regional integration projects, which means that the donors somewhat have influence on policy direction
- The inability to realise that African realities are different from European realities, thus the application of the same blueprint when it comes to regionalism is a failure in itself.

Lee (2002) explores SADC's conditions using the points outlined above. Using these points, Lee (2002) further delves into the challenges that SADC member states face in their pursuit of market integration: first, the long-standing regional trade patterns which speak to South Africa's economic hegemony within the region which sees them at a trading ratio of 6:1 compared to the rest of SADC. This also relates to the issue of South Africa negotiating a bilateral agreement with the EU, which tends to cause (and deepen) the uneven trading field within the region. The second point is the fact that some member states are part of more than one regional economic organization as will be discussed later in this study. Third, the ongoing negotiations for the creation of a Free Trade Area (FTA), with the main problem arising from the question on how to deal with sensitive sectors as the region has a couple of regionally competitive sectors. Fourth, the policies that the member states would have to implement domestically are not in compliance with the FTA. In terms of the barriers that were prohibiting the creation of the SADC FTA, Fuma (2010) and Essop (2015) point out

that most member states were heavily reliant on the revenue procured from tariffs, resulting in them being too hesitant to drop the tariffs as the FTA was being implemented. This can also be understood as one of the delays that make the SADC FTA to take longer than what would have been previously planned.

In spite of the establishment of the FTA, the region still faces numerous non-tariff barriers to trade. For example, “Poor infrastructure coupled with poor communication networks increase the cost of trade and prevent South Africa from taking advantage of the relatively untapped African market. In addition, members of SADC import and export similar goods” (Essop 2015:94). This is also coupled with the sheer size of South Africa’s economy and trade that dwarf the sizes of other SADC member states as evident in Figure 1. The African Development Report (2000) acknowledged a growth in intra-trade in SADC between 1993 and 1998 from \$2 billion to \$4.8 billion and of these figures South Africa had the lion’s share (50%) of the trade. In the same period, the report also found that SACU’s exports to SADC were increasing more than imports; so, this meant that SACU’s trade surplus with SADC was increasing. More recently in the decade following the one mentioned above, Mapuva and Muyengwa-Mapuva (2012) found that South Africa’s share in SADC intra-trade had grown to 60%, contributing at least 70% of the SADC GDP. The African Development Report (2014:3) goes even further to state that in 2010, South Africa accounted for a quarter of all African intra-trade exports, which makes it the dominant player in all African regions except for North Africa.

3.8 SADC’s political and security cooperation and associated challenges

Chingono and Nakana (2009) and Mandrup (2009) reported that in 1996, SADC decided to create the Organ on Politics, Defence and Security Co-operation (OPDSC) with the Mutual Defence Pact (MDP) being signed in 2003 and then in 2004, the organization created the Strategic Indicative Plan for the Organ (SIPO) that allowed the OPDSC to function. The Southern African Regional Police Chiefs Co-operation Organisation (SARPCCO) was established to address issues of cross-border crimes. Vhumbunu (2015:4) described it as a “framework upon which member states coordinate peace, defence and security issues, and comprises two committees

that make key decisions – the Inter-State Defence and Security Committee (ISDSC) and the Inter-State Politics and Diplomacy Committee (IPDC).” Progress on the actual brigade was met with challenges and did not materialise as had been hoped following the creation of these projects.

The slow pace characterising the operationalisation of these organs was evident in the Zimbabwean and DRC conflicts, as they failed to play a major role in stabilising the situation as the process of resolutions was underway. “The signing of the Mutual Defence Pact (MDP), the continued instability in the DRC and the handling of the political crises in, for instance, Swaziland and Zimbabwe, indicate to some extent that SADC is not going to transform itself into a security community, but that it will remain a looser association of states” (Mandrup 2009:5). The creation of these institutions and the recognition for the need for peace, security and the protection of democracy in the region is a step in the right direction, even though the implementation thereof is happening at a slow pace. As noted earlier in the discussion on the Zimbabwean conflict, the problem also arose from hesitation when it comes to intervening as noted through SADC’s support of President Robert Mugabe in the early stages of the crisis.

The SADC Memorandum of Understanding (MoU) for the Standby Force/Brigade came into effect in 2007. The Memorandum of Understanding (2007) had functions similar to those of the AU’s Peace and Security Council Protocol, Article 13 to be exact. Article 4 of the MoU lists the functions of SADC Standby Brigades as inclusive of peacekeeping missions; observing and monitoring missions; peace restoration missions; humanitarian assistance; and any other functions that may be decided by the SADC Summit. Lautier (2013) maintains that despite being a noble idea, the SADC Brigade does have some challenges that can hamper its intended functions. One of these challenges is the fact that the level at which military equipment is maintained, along with personnel training, is not harmonised across member states. Another issue is that the military equipment used by the different SADC member states is also not harmonised, raising issues of incompatibility during these joint operations.

SADC and the rest of Africa struggle with infrastructure. The African Development Report (2014) says that the underdeveloped African infrastructure is one of the

reasons to blame for Africa's low intra-regional trade, low exports to world markets and also the low productivity and competitiveness. Bachinger and Hough (2009) concurred with this view, reiterating the fact that the lack of infrastructure is a barrier to intra-trade and also added the fact that African countries have similar production structures. This also ties to the earlier point suggesting that countries mainly produce raw materials.

The 2016 drought hit most of the SADC region and on the 26th of July 2016, the then SADC Chairperson President Ian Khama of Botswana declared the drought a regional disaster (SADC News 2016). The Chairman then appealed for a US\$2.4 Billion for relief and humanitarian needs spurred on by the disaster. The first to respond to this appeal were the United States of America, the United Kingdom and the European Union that pledged US \$300 million, £72 million, and €60 million, respectively. In announcing the regional disaster, President Khama said, "The 2016 regional food security and vulnerability assessments indicate that the number of food insecure people in the region is about 40 million, which is about 14% of SADC's total population." (Khama, cited in SADC News 2016). He went on to mention that even though most of the SADC member states tried to cope with the 2014/15 drought seasons, the current 2015/16 season hit them the hardest and overwhelmed most of the member states' disaster management preparedness.

One of the worrying problems with SADC and other African RECs is that most of their funds come from foreign aid; so, even the early 2000 drought crisis caught the region unprepared as it relied heavily on foreign aid from the United Nations' World Food Programme. Fast forward to the 2019 and the region is still faced with the same issue of being reliant on foreign aid to alleviate its crises with the World Food Programme seeking funding on the region's behalf. This attests to the heavy reliance on foreign assistance that SADC maintained in dealing with the drought and food shortage. Recently, SADC RVAA Synthesis Report (2020) found that found that 44.8million people in the region are food insecure and this is a substantial jump from the 2015 figure of 27 million people. Now, it does not help for SADC and the AU to seek African solutions to its problems while depending on the aid coming from the very countries that they seek to stop being dependent on.

“Territorial integrity could be further protected if the AU desists from depending too heavily on Foreign Aids from power blocs and the UN (United Nations) as interference in affairs of sovereign African states will be cautioned. The African states instead should generate funds for projects internally” (Adeniyi 2016:87).

Regionalism should be driving African countries towards this sort of thinking, where funding is generated internally. Even though the above case of the early 2000s drought is a case of an unforeseen occurrence, there should be a fund or planning that goes into addressing these types of situations that are understandably unbudgeted for.

As SADC is part of Sub-Saharan Africa, it occupies the same bracket in terms of some of the challenges facing the ordinary population. Zondi and Mulaudzi (2010) assert that in terms of poverty, the region has a population of about 234 million people and more than 70% of them are living below the international poverty line and 40% of this population is living below the poverty line. These estimates are based on an average of the entire region, but the levels of poverty vary between the countries. For example, according to Zondi and Mulaudzi (2010) the African Development Bank and the World Bank showed that Mozambique and Zambia had about 80% of their population living under extreme poverty. Compounding this problem is the AIDS epidemic. Zondi and Mulaudzi (2010) posit that despite the fact that the region constitutes less than 10% of the world population, it is however home to more than 35% of the people living with HIV worldwide. Undoubtedly, these numbers have had a knock-on effect, thus hampering SADC’s goals in terms of eradicating poverty.

Another issue is the actual goals that SADC has set for itself and the timeline that it seems to box itself in. Timelines are usually a guide and a way of tracking progress, but when they are missed by a huge margin, it becomes worrying and throws doubt into the regional integration project. The RISDP sets out the target that it hopes to reach in all the projects and sectors that the region is involved in. With regards to trade, economic liberalisation and development, they set seven targets with the latest year for the goal to be achieved being 2018. One of the first targets, the SADC FTA, was initially set to be achieved in 2008 but it came into fruition in 2012 and even at that time, not all members subscribed to it.

In as much as African states need the developed West for foreign aid, foreign direct investment (FDI) and as trade partners, one cannot run away from the fact that these also create challenges for the African states. The case in point is their neoliberal nature, which seems to mimic the very situation that colonial Africa was in. For instance:

“The Democratic Republic of Congo and Mozambique have the highest share of foreign investor driven land deals relative to total arable land of close to 50% and 21%, respectively. In the Democratic Republic of Congo, close to 50% of arable land is either leased to foreign companies or is under negotiation for leasing, without a clearly defined framework governing these transactions” (Yildiz & Gunes 2016:4).

This is a worrying trend, because most of the land is being used for profit by the foreign companies which take the profits to their mother country and the local population has very little to gain from the way their native land is being used. Just like the DRC and Mozambique, Ethiopia and Sudan have also signed deals that lease their land to foreign investors. These deals are beneficial to the country in the short term, but in the long term they benefit the investors and their country of origin.

3.9 Conclusion

This chapter concentrated on SADC as an institution. More importantly, it focused on the challenges that the region and the regional organization face in pursuit of regional integration. The chapter began by investigating the organization’s institutional makeup, how it is composed and its decision-making mechanism. The SADC Summit, being the main body of the organization, holds absolute power over its subordinate institutions and its decisions are final. The SADC Tribunal, according to the SADC Treaty, is the judiciary arm of the organization but the Summit has the power to overrule its decisions. In terms of the day-to-day functions of the organization, the Council of Ministers is the key organ as it facilitates the implementation of SADC policies and programmes. The success of a regional organization is reliant on states’ ability to mediate national interests at the regional level. The SADC National Committees are setup for that very function, and this chapter reflected on how they are supposed to be working and how they have not been able to fully carry out their functions.

The chapter further discussed South Africa's hegemonic position in the SADC region because it influences the majority of the decisions and also the fact that it has the power to significantly influence the direction of the regional organization. The discussion was centred on South Africa's position in terms of the size of its economy and influence in the region. The implications for South Africa's hegemonic position have been discussed in a later section that articulates the challenges that the region faces. The chapter dealt with a wide range of challenges hampering regional integration in the SADC region. Some of the problems stemmed from the institutional composition of the organization while others are a result of the colonial past that the region shares as well as poor leadership. It has also been shown that the causes of these challenges were not only confined to stalling the regional integration project, but they also impeded economic integration as well as the political and security cooperation mandate of the regional organization.

CHAPTER FOUR

SADC'S ECONOMIC INTEGRATION PROJECT

4.1 Introduction

An assessment of any regionalism and integration project of any regional body must begin by focusing on the objectives and goals set in its charter, and it should weigh its trajectories, challenges and opportunities against these benchmarks. The Abuja Treaty (1991) outlines the different measures and steps to be taken and the outcomes to be achieved by specific terms. This can certainly be used as the benchmark for measuring the progress of regional integration in Africa, particularly where Regional Economic Communities (RECs) are concerned. The fundamental objective of RECs, as the name entails, is regional economic integration. Thus, when reviewing any REC, it is imperative to pay attention to the aspirations that inform these drives. With the current idea of the “United States of Africa” as a vision for the future of African regionalism, the AU has showed some level of commitment to this idea as it emulated the European Monetary Union (EMU) by creating its own African Monetary Union.

Jefferis (2007) indicates that the inception of several monetary integration initiatives has influenced the African Union to formally set the goal of achieving a continental monetary union by 2021. The process of achieving this goal would require the following stages: preferential trade agreements (PTAs); free trade agreements (FTAs); customs unions; common markets and a monetary union operating at a regional level. It is hoped that it will spill over to a continental level in the form of regional monetary unions that unite to form a unified currency along with a central bank. With only one year left to achieve this goal, the continent clearly lags behind.

In SADC's case it has already achieved a free trade area and are in the process of establishing a Customs Union through their Regional Indicative Development Plan (Sakyi & Opuku 2014). The Customs Union was actually supposed to have been launched in 2010; however, this deadline was missed and, again, 2013 was set as

the new deadline, which was equally missed. This means that the initial targeted timeline of a common market and a monetary union will also be postponed. The reason for this delay partly stems from the existence of SACU within SADC as has been discussed in the previous chapter.

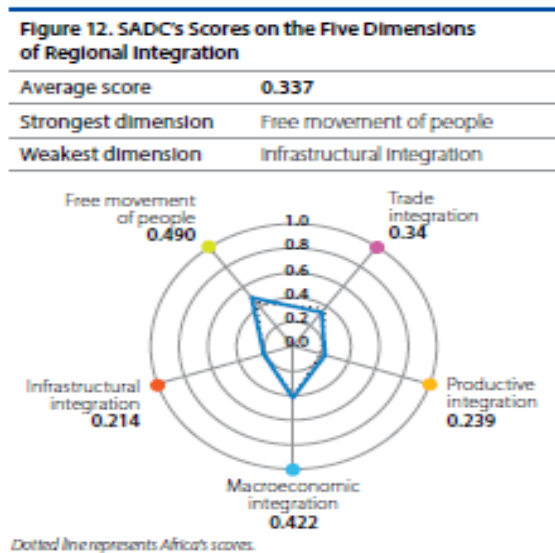
Sakyi and Opuku (2014) put forth three political barriers that impede SADC's monetary integration. The first barrier is the unwillingness by SADC countries to give up a certain level of sovereignty to a supranational entity. The AU Charter (2002), Article 7, supports the idea of a country having monopoly of its internal affairs and non-interference from outside entities. The AU recognises the right to sovereignty only if those internal affairs do not constitute crimes against humanity and other cases that are deemed to require outside intervention. The second barrier is how socio-political constraints within the region do not provide the necessary labour mobility required to buffer a monetary union. Lastly, the power dynamics that exist within the region and the difficulty that emanates from allowing South Africa to exert its leadership role as the biggest economy also account for the backlash as other countries would fear South African domination and control over the way the union is run. Thus, it can be concluded that the delays in the formation of a monetary union could be playing into SADC's favour, as the conditions needed for the union have not yet been established. Another major barrier to SADC's monetary union is the issue of dual membership because it is impossible to belong to two customs unions; this also speaks to the need to address the existence of SACU within SADC.

SADC, as one of the RECs of the African continent, is meant to start with economic integration – a customs union ought to be followed by a common market; as these mature, then the monetary union follows and is expected to culminate into a full political union. This chapter assesses these issues by examining and evaluating the economic integration project in the SADC region. As an indicator of the project of economic integration, the chapter explores in some detail the tariff and non-tariff barriers and challenges, the constitution of the customs union in the SADC region, and assesses the institutional mechanism and spaces to effectively regulate and mediate it.

4.2 Performance of SADC's regional integration

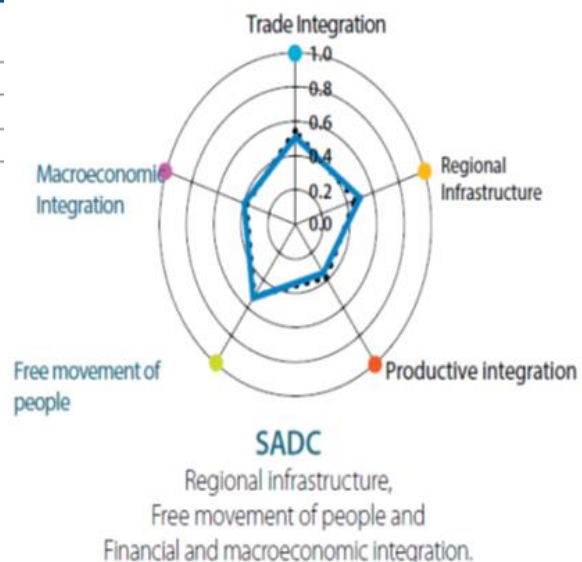
This section is, for a large part, based on the African Regional Integration Index (ARII) produced by the Economic Commission for Africa. The ARII collates integration data in five key areas which are productive, trade, macroeconomic, free movement of people, and the infrastructural dimensions. “ARII’s 16 indicators are drawn from national and regional data, United Nations agencies, the African Development Bank, the African Union, the African Airlines Association, the World Bank, and other sources. To avoid double-counting, ARII uses indicators that are not linked to each other” (African Regional Integration Index 2021:1). Two reports (ARII Report 2016 and ARII Report 2019) have been particularly useful to this section. Despite the slight variations in some of the measurements and indicators, these two reports have a good starting point in terms of assessing and tracking the performance of RECs in Africa (including SADC). The ARII is developed by assessing five core dimensions of regional economic integration: trade integration, infrastructural integration, free movement of people, productive integration, and macro-economic integration.

Figure 3: 2019 ARII for SADC



Source: 2019 ARII for SADC

Figure 4: 2016 ARII for SADC



Source: 2016 ARII for SADC

According to the 2016 ARII Report, SADC, with a score of 0.531, featured as the second highest regional integration (second to EAC - scoring 0.540). By comparison, in 2019, SADC's mean score was as low as 0.337¹³, while EAC scored 0.537 (which is still the highest performing REC on the continent). The ARII (2019) shows that SADC is performing better in promoting the free movement of people but underperforming on infrastructural integration. While in the 2016 index, the region performed weakly in productive integration, though it still performed better in free movement of people. Evidently, with the metrics for the 2019 index, SADC's performance has significantly dropped.

Table 1: REC Integration ratings

REC	Trade integration	Regional infrastructure	Productive integration	Free movement of people	Financial and macroeconomic integration
CEN-SAD	0.353	0.251	0.247	0.479	0.524
COMESA	0.572	0.439	0.452	0.268	0.343
EAC	0.780	0.496	0.553	0.715	0.156
ECCAS	0.526	0.451	0.293	0.400	0.599
ECOWAS	0.442	0.426	0.265	0.800	0.611
IGAD	0.505	0.630	0.434	0.454	0.221
SADC	0.508	0.502	0.350	0.530	0.397
UMA	0.631	0.491	0.481	0.493	0.199
Average of eight RECs	0.540	0.461	0.384	0.517	0.381

Source: Africa Regional Integration Index

The gap in regional infrastructure and productive integration are responsible for dragging down SADC's overall score, with a mean score of 0.214 for infrastructure integration and 0.239 for productive integration. With the exception of South Africa, which achieved the highest score (0.893), the gap in regional infrastructure is evident

¹³ It should be noted that the drastic drop in score in some ways is related to methodological variations in the two reports. For example, the 2019 ARII takes only proportion of intra-regional flight connections and AfDB Infrastructure Development Index, while in 2016, it includes the average cost of roaming and the total regional electricity trade(net) per capita (which are dropped in the 2019 report).

in the rest. The other member states had a substantially low score. While Seychelles and Mauritius score only 0.512 and 0.446, respectively, the bottom five performers (the Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, and Tanzania) score nearly zero.

Table 2: Shares of total intra-SADC exports for largest exporters

Member state	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
South Africa	60%	60%	57%	59%	55%	54%	55%	53%	54%	57%	58%
Angola	9%	5%	5%	5%	7%	4%	5%	4%	5%	4%	6%
Namibia	8%	11%	8%	7%	5%	7%	6%	7%	6%	6%	6%
Zimbabwe	3%	4%	4%	6%	8%	8%	7%	7%	8%	8%	7%
DRC	2%	2%	8%	3%	3%	4%	5%	6%	6%	6%	6%
Rest of SADC	23%	23%	30%	30%	32%	35%	34%	36%	35%	33%	29%
Total intra SADC export (US\$ million)	28,378	25,856	33,135	36,958	40,613	41,843	40,783	35,394	34,371	35,316	37,356

Source: SADC¹⁴

As the regional powerhouse, South Africa scored 1, which was the highest in productive integration when compared to all the other Africa countries. Once again, South Africa led the African continent in productive integration with a perfect score of 1. When it comes to regional imports and exports of intermediate products to and from South Africa, it emerges that South Africa accounts for a larger proportion of regional trade compared to any other country on the continent and South Africa also has the highest score on the merchandise trade complementarity index. The gap in the intra-regional trade is evident. For example, in 2018, the imports of the SADC region were in the region of \$149 billion, while intra-SADC imports sat at US\$35.3 billion (SADC 2018). The regional body acknowledges this shortcoming and suggests that the region has seen an increase intra-SADC trade, though it is marginal (SADC, 2018).

As an individual country, South Africa emerged the best performer on the continent in aggregate. In 2019, South Africa, Mozambique and Zimbabwe emerged as top performers, while the DRC, Angola, and Eswatini became the bottom performers. Yet, Eswatini performed well on trade integration, scoring the highest within the

¹⁴SADC, *SADC Selected Economic and Social Indicators 2019*, https://www.sadc.int/files/2916/0102/7136/Selected_Indicators_2020_September_11v2.pdf, (accessed 23 November 2019)

SADC region (0.730); and it was followed by Namibia (0.715), and South Africa, Lesotho and Zimbabwe whose scores were above average. The report also captures the different performances of each of the member countries in various dimensions. Overall, South Africa's average score across all the indexes measured is the highest. Its scores are high for trade integration, infrastructure integration, and productive integration, while scoring low on macroeconomic integration and the free movement of people (ARII 2019).

What is striking is that SADC's performance on the free movement of people is impressive, while South Africa's is low in this dimension. The two dimensions in which South Africa scored lowly perhaps do capture South Africa's anxiety over these aspects of regional integration. Firstly, ease of movement could facilitate a greater influx of people into the country because South Africa represented over 60% of SADC's GDP. This is evident in South Africa's migration management that has been restrictive, ambivalent and considers the country as being overwhelmed by inward migration. South Africa's migration management and policies work with the fundamental assumption that citizens in the region wish to migrate to South Africa (Crush et al. 2015). Second, considering the size of its economy in relation to others, South Africa may find it difficult to manage macroeconomic integration while still prioritising its formidable challenges of poverty, inequality, and unemployment.

There are three areas in which SADC has performed badly do paint a gloomy picture of the region in terms of its structural constraints. These areas are productive integration, infrastructural integration, and trade integration. Most of these are in some way directly linked to the structure of their economies. For a large part, with the exception of South Africa, the economies of SADC states continue to be dependent on the exports of a few primary commodities. Indeed, 2019 data from UNCTAD shows that close to 80% of export commodities for the regional states (with the exception of South Africa) are mining and agricultural products – with mining (including fuel) constituting over 70% of the volume. Angola is totally dependent on fuel; Botswana is entirely dependent on mining; fuels, mining and agricultural products constitute above 70% of Mozambican export; close to 80% of Zambia's exports are mining and agricultural products – with mining accounting for over 70% of the volume.

In addition to this, these countries' trade relations are stronger with their former colonial masters and, increasingly with China (Vanheukelom & Bertelsmann-Scott 2016). Here, Zimbabwe is an exceptional case, which in recent years, has managed to register three neighbouring states as its top five trading partners¹⁵; and this is evidently due to the decades-long sanctions imposed by the West. This means that there is little inter-regional trade (thus, instead of complementing each other, they would be exporting more or less the same primary commodities). In turn, this has been hampering productive integration. For example, in 2018, the manufacturing sector of the SADC region had 11.9% share of the overall GDP, and this declined marginally from 13.1% in 2009 (SADC 2018).¹⁶

The 1996 SADC Protocol on Trade, which was amended in 2010, is certainly a central instrument framing the regional trade among member states. According to this Protocol, member states are expected to gradually eliminate trade barriers and reduce customs duties on intra-regional trade – imports of goods produced within the SADC region. The overall objective of this Protocol has been the eventual establishment of SADC's free trade area. Subsequently, in 2001 SADC produced The Regional Indicative Strategic Development Plan (RISDP), a document that offers a comprehensive review of the region's economies and makes sector-based assessments of their challenges and opportunities and finally casts the regional body's 15 years SADC Common Agenda for 2005–2020 (though due to “capacity constraints” the regional body's RISDP plans were delayed). In this document, SADC set out to realise the following targets: a free trade area by 2008, a customs union by 2010, a common market by 2015, a monetary union by 2016 and a full economic union with a single currency by 2018. These ambitious plans were meant to be aligned with the programme of actions set out in the Abuja Treaty. As things stand today, most of the latter objectives have not been met.

¹⁵ Mozambique, South Africa and Zambia as shown by World Trade Integrated Solution (2018)

¹⁶Over a period of 2 decades, the SADC region has seen some increase in fuel and minerals trade, while declining trade in agriculture and light manufacturing. These point to the structural issues in the macroeconomies of the regional state.

SADC managed to establish a free trade zone by 2008, achieving zero duty for 85% of intra-regional trade. A significant milestone, however, was achieved in 2012 when the regional states agreed to liberalise most tariffs on intra-regional trade, while still working on sensitive products. For a decade since the establishment of the FTA, Angola, the Comoros, and DRC have been outside of it, but Angola claimed in 2019 that it was working toward finalising its accession to SADC's FTA.¹⁷ Currently, with the establishment of the African FTA, all member states, except the two, are now in the SADC Free Trade Area (FTA). Generally, SADC has made significant progress in liberalising trade by ensuring that member states reduce and eliminate tariffs and quotas under the Protocol on Trade of 2000. However, as Kalenga (2012:1) puts it, "the protocol extends beyond this shallow integration to include issues that also regulate the business environment such as customs and trade facilitation, product standards and technical regulations, competition policy, intellectual property rights, investment, and services". According to Kalenga (2012), these are the conditions needed for the desired deep integration, in which the region is lagging behind.

Member states are at various levels of commitment to the tariffs. Perhaps, these have to do with internal dynamics as well as aspirations. Chanda (2010) suggests that some SADC member states have used the tariffs as a crucial instrument of their industrial policy and strategy – in a form of sector-based protectionist policy. There is divergence here; for example, South Africa uses heavy tariffs to protect its auto-industry while Mauritius applies a very low tariff on vehicle imports. According to Chanda (2010), most SADC member states simply use tariffs to generate revenue to support public budget. These divergent conditions and competing interests over tariffs have made negotiating a SADC-based coordination over tariffs a challenge. Driven by its idea of regional industrialisation, Zimbabwe has often argued against any further liberalisation of trade in the region in the absence of a regional industrial policy (Vanheukelom & Bertelsmann-Scott 2016).

Following the establishment of the FTA, the next schedule on RISDP was the customs union, which entails establishing a collective agreement on common

¹⁷Macauhub, *Angola joins SADC free trade zone from August 2019*, [website] <https://macauhub.com.mo/2019/01/02/pt-angola-adere-a-zona-de-comercio-livre-sadc-a-partir-de-agosto-de-2019/> (accessed 20 May 2019)

external tariffs and a common external trade policy. Establishing the customs union was initially scheduled for 2010. When it was unable to meet this deadline, the regional body sought to negotiate a new deadline. In August 2012, the SADC Summit endorsed a report on the Framework for the SADC Customs Union, and new timelines for the customs union was set in the 2013 SADC Ministerial Meeting. This culminated in its Ordinary Summit held on August 17-18, 2015, where a new deadline was established for the customs union was set.¹⁸

What these delays mean is deferral of all the other deadlines set out in RISDP for common market and monetary union, which were meant to be established on the back of customs union. Among other things, member states' overlapping membership (commitment to multiple organizations such COMESA and EAC) is identified as the major cause of the delay – thus resulting in inability to reconcile the different demands. The apparent differences between SACU and non-SACU members of SADC have also been brought to the fore, while there is a stronger integration and coordination among the SACU members of SADC, with so much integrative work expected to be done with others.

While SADC has managed to establish a consensus on creating a common market by 2015, the common market was meant to unify the internal market and harmonise operations and instruments. In a summit held in Harare on 29 April 2015, member states approved the SADC Industrialization Strategy and Roadmap 2015 – 2063. This strategy was envisioned to be aligned to the AU Agenda 2063. This is indeed an important milestone in the establishment of this strategy and roadmap. Economic transformation and industrialisation are central to this strategic document. The objectives of this strategy are categorised as qualitative and quantitative. Quantitative objectives include increasing the regional growth rate to 7%, share of manufacturing value added, share of medium-and-high-technology production, export of manufacturing, export of intermediate products, and industrial employment. Each of these objectives is outlined with a specific target and deadline. The qualitative component of the strategy focuses on socio-economic transformation in

¹⁸Benza, B, *SADC to set new Customs Union deadline*, [website], <https://www.tralac.org/news/article/7880-sadc-to-set-new-customs-union-deadline.html> (accessed 17 May 2019)

the region and among member states. The qualitative goals include enhancing productive capacity, productivity and competitiveness, socio-economic transformation, diversifying and broadening the industrial base and interdependences, as well as building collaborative partnerships between governments, the private sector, the civil society and development partners.

The document organises these objectives into three phases: Phase I - 2015 to 2020; Phase II - 2021 to 2050, and Phase III - 2051 – 2063. In Phase I, the regional body seeks to establish the groundwork for industrial development and market integration. This includes the development of related social and physical infrastructure to support the industrialisation agenda. It also set a target to increase the per capita to a minimum of US\$2000. The organization has not yet achieved most of these objectives set out in the Phase I of the Strategy and Roadmap.

In 2019, half of SADC member states (8 countries) still had a GDP per capita below the minimum set out in Phase I – which is below US\$2000.¹⁹ While SADC, over the last three years, has maintained an average of US\$2000, and four of these countries have extremely low GDP per capita - below US\$600 GDP. The disparity among member states is acute, with Mauritius and South Africa occupying the top position and DRC and Malawi at the bottom of the ladder. Thus, despite its aspirations in this regard, SADC faces multiple challenges which include differentiation in position and stages of development. These in turn appear to be causing competing aspirations, policy choices and hard position amongst member states.

One of the major disparities in the SADC region is the integrative infrastructure. In both 2016 and 2019 African Regional Integration Index reports, the SADC region has not performed well – in both report rankings and the region obtained a little bit over 0.2 comp. This is despite the fact that South Africa, as the most important member of the SADC region, attained a nearly perfect score in this dimension. There is clear evidence that lack of integrative infrastructures – particularly that of efficient transportation system - has been a persistent problem. Khandelwal (2004) and Lee

¹⁹UNCTD, *Gross domestic product: Total and per capita, current and constant (2015) prices, annual* [website], <https://unctadstat.unctad.org/wds/TableViewer/tableView.aspx?ReportId=96> (accessed 16 September 2019)

(2004) highlight the inadequate transport system between SADC member states as one of the challenges that the region faces as it tries to integrate even further.

Sakyi and Opoku (2014:15) also state, “the landlocked status of some African countries, bureaucracy, high insurance costs, difficult customs arrangements, bribery and corruption, and poor transport infrastructure, among others, account for the continent’s high transportation costs”. To deal with such challenges, SADC, in 2006 through to 2007, developed an Action Plan to deal with the Non-Tariff Barriers (NTBs) that are proving to be a challenge hampering trade. The SADC Protocol on Trade addresses the issue of NTBs in Article 6 by proposing that member states implement policies that will ensure the elimination of NTBs and also ensuring that no new NTBs are created. Brits (2015) argues that since the start of the SADC FTA, which introduced a reduction in tariffs, the intra-trade between the member states did not show any significant increase. He argues that the opposite of what was expected happened, and as the tariffs were decreased, the NTBs also seemed to increase, which meant that trade between states was not significantly encouraged.

Blaming the lack of increase in intra-trade solely on the non-tariff barriers would be inaccurate because there are many factors that could be attributed to this scenario. For instance, Sakyi and Opoku (2014) posit that most African countries generally produce and export raw materials and, in a region where every member state is producing the same unprocessed raw material and where there is little or no processing power of those goods, then intra-trade is bound to be low. However, in this instance, the focus is on the barriers that regularly impede trade between countries. SADC has been an underperformer in intra-regional trade compared to other African RECs. This could be a result of the fact that majority of the trade is being carried out by South Africa and the other member states have sectors that cannot compete on a level playing field when it comes to exporting to other regional countries.

The Trade and Industry Policy Strategies (TIPS) in their Intra-SADC Trade Performance Review, used Zimbabwe as a case study in its review of the effects of the NTBs. They first found that landlocked countries like Zambia that transport goods from South Africa preferred to go through Botswana than going through Zimbabwe.

It is important to note that even though the Zimbabwean route is shorter, transporters found that the cost of using the shorter routes outweighed the cost of using the longer route through Botswana. They found that this also affected local Zimbabwean companies that import from South Africa.

“Some Zimbabwean companies have reported up to 19 different official approvals, which take up to three months to obtain, are required for some imports. Apparently, the Zimbabwean authorities prefer to define imports as services, which are subject to a 20% withholding tax, rather than as goods that generally attract lower duties. The situation is a classic example of a government replacing a tariff with an NTB to preserve its trade revenue flows” (TIPS 2007:141).

The above situation, coupled with the lack of sufficient transportation infrastructure, inflates the costs of transporting regionally, and discourages regional trade. Sakyi and Opoku (2014) have asserted that this leads to a situation where it becomes cheaper to export goods outside the region than it is to transport them regionally. South Africa’s power in the region extends to the issue of transportation as Chingono and Nakana (2009) point out that most SADC member states are highly dependent on South Africa’s better developed transport infrastructure.

4.3 SADC’s integration and institutional power

The institutions under SADC and the exact structure in which they are arranged are seen in Figure 2. The previous chapters have touched on what happened to the SADC Tribunal, which typified the lack of power the SADC institutions have. As mentioned before, the SADC Treaty Article 16 (5) stipulates that the Tribunal’s decisions are binding. However, in the Tribunal Protocol, Article 32 (5) says that if the Tribunal’s rulings are not applied, then it will have to report to the SADC Summit to take the necessary action. The SADC Treaty does also provide it with the power to dissolve SADC itself or any of its institutions by way of a resolution passed by three quarters of its members as provided for by Article 35 (1) of the SADC Treaty. It is disturbing that the SADC Summit failed to support the application of the Tribunal’s judgment on the Zimbabwean case; instead, it chose to dissolve the Tribunal rather than disciplining one of its members.

The Tribunal's suspension after the Zimbabwean judgement proved otherwise. One may argue that the lack of empowerment of the Tribunal is one of the strongest arguments against SADC's crisis or conflict management; thus, the regional organization lacks a proper system and a formal institution that deals with crises. It suffices to look at the Tribunal's Protocol, specifically Article 32 that deals with Enforcement and Execution. Article 32 (1) starts off by making provisions that Tribunal judgments are seen as 'foreign judgements' and their enforcement shall be governed by the binding nature of international law. The rest of Article 32 namely (2), (3), (4), and (5) deal with the binding nature of the Tribunal's decisions and domestic enforcement, with (5) calling on the matter to be reported to the Summit as the supreme institution of the SADC.

Article 10 (9) of the SADC Treaty points to SADC's very nature; firstly, it talks of how all decisions shall be taken by consensus and adds at the end that the decisions are binding. "...it is notable from Articles 10A (7), 11 (6) and 13 (7) [sic] that the Summit and other subsidiary organs make decisions by consensus, and yet there are no provisions in the Treaty for breaking an impasse where a consensus cannot be reached" (Saurombe 2012:461). Other articles in the Treaty that deal with this are Article 12 (8) for Sectoral and Cluster Ministerial Committees and Article 19, which says that all the decisions within all the SADC institutions and structures shall be taken on consensus unless stated otherwise in the Treaty. This, as will be showed later, makes it difficult for the regional body and its institutions to make tough decisions especially if those decisions go against a particular member.

This attests to the fact that SADC is basically a league of nations, and to combat the problem of a consensus not being reached, the decisions or rulings are usually given with a wide net of discretion. Another problem comes with the fact that there is no indication as to what would happen if decisions taken against a member state are not abided by. This is the same problem that plagued the SADC Tribunal, where the Treaty spoke of its decisions as binding, but the power given to the Summit to ensure compliance with these decisions and judgements does not ensure practical compliance. With regards to the Tribunal's suspension, Saurombe (2012) points out that according to the Treaty, the Summit has no power to suspend the Tribunal as it forms part of the judicial arm of the organization. Only amendments of the provisions

of the Tribunal are legally applicable, but the Summit was able to suspend it anyhow. So, the decision to suspend the Tribunal went against the rule of law and tainted the organization's image when it comes to upholding the rule of law which it created.

As has been alluded to earlier, SADC is bent on emulating the successes of the EU. When one compares and contrasts the two organizations' treaties in terms of institutional and decision-making powers, one major difference emerges. It is important to note that SADC and EU are at different stages of regionalism. For instance, in comparison with SADC's institutions, the EU Treaty, Article 13 (1) provides for the creation of: the European Parliament; the European Council; the Council of the European Union; the European Commission (the Commission); the Court of Justice of the European Union; the European Central Bank; and the Court of Auditors. More noticeably, when comparing the two organizations, SADC lacks a parliamentary and financial institution.

It is important to note that these types of institutions are part of SADC's future end goal. If, however, one delves deeper into the composition and functions of the EU's institutions, major differences become apparent. The EU Treaty (2016), Article 14 (1) and Article 16 (1), provides that the European Parliament along with the Council, shall deal with the legislative or political and budget side of the EU. Article 14 (2) talks about the composition of the parliament; it stipulates that the parliament is composed of representatives that are chosen by the Union's citizens. Regarding the Council of the European Union, Article 16 (2) provides that the Council comprises ministers from the member states.

The composition of SADC's council and EU's council are similar in that they are made up of ministers from the member states. In terms of composition, SADC's Summit resembles the EU's European Council in that it is composed of the Heads of State and Government of the member states as spelt out in Article 15 of the EU Treaty. They are similar in that decisions are taken on consensus basis; however, the EU Treaty, Article 15 (4) does provide that consensus decisions are only taken if the Treaty has not provided any direction on that vote or issue. The EU Treaty, Article 15 (1) and Article 15 (2), clearly maps out that the European Council shall not exercise legislative functions but will be concerned with the political direction of the EU.

Compared to the SADC's Summit, it is clear that in the case of SADC, power is centrally held with the Summit and not distributed to the other institutions. The SADC Treaty, Article 10 (1) and Article 10 (2), clearly gives the Summit the policy-making powers along with the control of all SADC's functions. It is important to remember, as mentioned above, that these two institutions are at different stages of regionalism, with SADC being fairly new and the member states also being fairly young in terms of independence.

Essop (2015:92) points out that during the World Trade Organization (WTO) negotiations, the SADC Secretariat only had a marginal role, which should not be the case. This questions the power of the Secretariat, and Essop believes that member states need to give the Secretariat more power and the mandate to play a more crucial role in these types of negotiations. This all draws from the idea that during SADC's multilateral negotiations, member states lacked the coordination needed to ensure a balanced agreement. Harmonisation of processes at a national, regional and multilateral level should be one of the prerequisites of SADC because in as much as the Secretariat needs to be empowered to play a bigger role in WTO negotiations, it is not a member; hence, the SADC Member States negotiate individually. "In the light of the weak institutional structure to service Multilateral Trade Negotiations [sic] in the Trade Industry Finance and Investment [sic] Directorate, the SADC Secretariat has not developed capacity to provide policy advice to benefit members in the MTS. The responsibility to identify pro-development reforms has therefore been left to individual member states" (SADC Secretariat 2003). This is suggestive of a lack of regional direction as states must make their own decisions while dealing with issues that should be decided at a regional level with the trickledown effect leading to the national level.

The lack of a permanent mediation structure, coupled with a conflict response institution that is not tied to the Summit or Heads of State, can also be seen as causing a major problem for SADC. If one looks back to the height of the Zimbabwean crisis in 2008 when the former South African Presidents Thabo Mbeki and then Kgalema Motlanthe were chosen to mediate on behalf of SADC, there was a lack of liaising between the chosen mediator and the SADC Chairperson. At the time, then SADC Chairperson, President Levy Mwanawasa was out of touch with what was

happening with regards to the South African-led SADC mediation in Zimbabwe. According to VOA News (2009) President Mwanawasa reportedly commented on the decision around the question of the run-off elections saying that despite his attempts as the SADC Chairperson at the time to contact President Mbeki as the official SADC were futile. President Mwanawasa went on to mention that the only communication he had been receiving at the time was from intelligence reports and not Zimbabwe and President Mbeki directly. This is a troubling revelation which shows the lack of liaising that is present in SADC structures and leaders during times of crisis, which should not be the case.

The SADC Summit, which is the supreme body of the SADC, also lacks the power to force one of its members to comply with decisions even though the treaty makes provisions for doing so. The case of Zimbabwe's defiance over the SADC Tribunal ruling will be discussed at length; however, there was another instance in which Zimbabwe was defiant of the regional body's decisions without any real consequences. Business Day (2009) recalled how Mugabe signed and promised to implement the SADC Principles and Guidelines Governing Elections in 2004 just before Zimbabwe's 2005 elections. This was however not the case as President Robert Mugabe defied the principles and was in violation of the same principles to which he had just agreed. Similarly, this defiance characterised President Mugabe's response to the SADC Tribunal's ruling on the land grabs since it did not favour him.

One of the biggest challenges for SADC is inability to strengthen its institutions so that they are more capable of dealing with the challenges that they face. SADC (2013) reports that a milestone in the region's institutional development came in 2012, when through working with the EU, it was able to be recognised as measuring up to international standards when it comes to accounting, auditing, internal controls and procurement. This basically means that SADC can now acquire and manage financial assistance packages from the EU through SADC's own internal systems and control. This would help improve the Secretariat's efficiency, thus resulting in better decision-making and management. Prior to this development, the Secretariat was heavily dependent on external support and the use of European Development Fund procedures which meant that it was not fully in charge of the process. This is a step in the right direction, because the SADC Secretariat would be less dependent on

externalities for support. Hence, SADC became the first African regional organization to get this sort of recognition. The problem with this reform is that it does not address the Secretariat's lack of power within the SADC. This reform only benefited the SADC Secretariat while other institutions remain the same, with the SADC Tribunal still craving for reforms. The reformation of the SADC Secretariat just becomes a drop in the ocean because dealing with most problems that the region faces will not be made efficient by this reform even though it will come in handy when it comes to securing funding.

4.4 The effects of globalisation and deviation from regionalism

As mentioned earlier, African states could not help but also fall victim to the Global Economic Crisis of 2007-2008. Table 3 below displays each SADC member state's share of exports when it comes to goods and services as proportional to their National GDP.

Table 3: Exports of goods and services as a share of GDP in SADC Member States, 2008–2017

SADC Member States	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Angola	72.5	58.7	61.5	60.7	55.9	50.7	44.7	30.0	25.6	30.0
Botswana	45.7	34.8	43.6	50.0	49.3	61.5	60.7	53.0	49.7	39.8
DRC	40.2	31.4	45.4	43.0	33.5	37.2	36.9	27.8	22.1	35.6
Eswatini	54.4	52.0	46.5	45.8	44.9	46.7	50.2	49.6	49.5	50.0
Lesotho	49.8	41.7	39.3	44.0	38.7	35.7	35.9	42.0	41.8	40.0
Madagascar	26.5	22.4	25.0	26.7	29.0	29.2	31.9	34.4	36.2	36.3
Malawi	18.8	21.4	17.8	20.0	24.2	26.4	27.5	24.1	30.0	25.6
Mauritius	51.1	47.7	51.2	52.4	53.8	48.4	51.1	48.8	44.6	42.1
Mozambique	29.3	30.0	31.5	33.4	32.4	30.4	33.4	32.2	34.6	34.5
Namibia	54.4	52.3	47.8	45.5	43.4	41.2	38.7	38.4	41.1	36.7
Seychelles	82.9	83.9	93.8	100.2	99.3	90.8	87.8	80.5	80.5	90.9
South Africa	35.6	27.9	28.6	30.5	29.7	31.0	31.5	30.2	30.7	29.8
Tanzania	18.6	17.4	18.7	20.8	21.3	17.7	19.4	21.6	19.6	15.1
Zambia	29.5	29.2	37.0	40.5	40.1	40.5	38.8	37.1	35.3	35.1
Zimbabwe	30.5	23.1	35.5	40.7	30.6	27.6	25.8	23.8	24.7	24.9
SADC Total	41.6	32.9	34.8	37.0	35.8	35.9	35.2	30.8	29.7	30.2

Source: SADC SELECTED ECONOMIC AND SOCIAL INDICATORS, 2017

A closer look at Table 3 reveals that all the countries experienced a decline between 2008 and 2009, which then led to the decline in the average for the entire region. Soko et al. (2010) attributed this decline to the effects of the Global Economic Crisis as demand for regional exports decreased owing to a slump in the global economic growth. The region's average for 2006 and 2007 had been on the increase prior to the Global Economic Crisis; however, the years after its occurrence showed a gradual decline. Initially, the Global Economic Crisis was seen as a phenomenon exclusively affecting the core developed countries; however, this time around the developing countries also felt its effects. This can be attributed largely to the globalised nature of the world economies, which promotes interdependence and any sort of occurrence has a ripple effect that permeates throughout the global system.

Table 4: Doing Business 2006, 2010, 2014 and 2015 rankings

Country	2006 (155 countries)	2010 (183 countries)	2014 (188 countries)	2015 (189 countries)	Change in rank 2006 to 2015
Angola	135	171	179	181	-46
Botswana	40	52	56	74	-34
DRC	155	176	183	184	-29
Lesotho	97	142	136	128	-31
Madagascar	131	144	148	163	-32
Malawi	96	141	171	164	-68
Mauritius	23	21	20	28	-5
Mozambique	110	132	139	127	-17
Namibia	33	74	98	88	-55
Seychelles	N/A	109	80	85	N/A
South Africa	28	36	41	43	-15
Swaziland	N/A	123	123	110	N/A
Tanzania	140	125	145	131	+9
Zambia	67	80	83	111	-44
Zimbabwe	126	168	170	171	-45

Source: World Bank, Doing Business 2015

Table 4: Doing Business Rankings between 2009-2019

Country	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Change between 2009 & 2019
Angola	170	169	171	172	172	179	181	181	182	175	173	-3
Botswana	39	45	52	54	59	56	74	72	71	81	86	-47
DRC	179	179	176	178	181	183	184	184	177	179	180	-1
Eswatini	114	115	123	124	123	123	110	105	111	112	117	-3
Lesotho	128	130	142	143	136	136	128	114	100	104	106	22
Madagascar	144	134	144	137	142	148	163	164	167	162	161	-17
Malawi	131	132	141	145	157	171	164	141	133	110	111	20
Mauritius	24	17	21	23	19	20	28	32	49	25	20	4
Mozambique	140	135	132	139	146	139	127	133	137	138	135	5
Namibia	54	66	74	78	87	98	88	101	108	106	107	-53
Seychelles	105	111	109	103	74	80	85	95	93	95	96	9
South Africa	32	34	36	35	39	41	43	73	74	82	82	-50
Tanzania	126	131	125	127	134	145	131	139	132	137	144	-18
Zambia	99	90	80	84	94	83	111	97	98	85	87	12
Zimbabwe	160	159	168	171	173	170	171	155	161	159	155	5

Source: World Bank, Doing Business 2009-2019

Table 4 and Table 5 show the ranking done by Doing Business, a tool that was formulated by the World Bank to determine how countries match up with regards to the ease of doing business amongst them. Doing Business (2017) looks at how a country's economic regulations affect starting and operating a business. The importance of this indicator cannot be stressed enough because it shows us how easy or how difficult it is for a country to generate revenue and whether it is improving or not in overcoming the barriers that prohibit the ease of doing business within it. Table 4 shows a period before and after the Global Economic crisis; it is important to note that the number of countries ranked varies over the years, so ranking performance can be hard to establish. With that in mind, during the 2006 – 2010 period (Global Economic Crisis period), only Mauritius and Tanzania saw an increase in their rank.

Considering the difference in rank, only Tanzania has been able to achieve a positive growth in terms of rank. This is essential as it also reflects on how attractive the country is to foreign investors and more importantly to other companies based in the region. The 10-year period spanning between 2009 and 2019 shows that only 47% of the member states achieved a better rank than they did at the start of the decade,

while the remaining 53% shows a worse-off ranking. The biggest winners within the region were Lesotho and Malawi, while the biggest losers were South Africa and Namibia. It is important to note the sheer margin that the biggest losers lost compared to the margin of what the biggest winners achieved within the same region.

As mentioned earlier, some SADC member states prefer globalisation to regionalism as they enter into bilateral agreements with non-member states which are part of the developed core countries, deals that at times hamper the SADC region's progress and programmes. To be fair, SADC and African countries are not alone in this practice. Bachienger and Hough (2009) noted that the WTO had only 20 FTAs registered in 1990 but in 2007, the figure had risen to 159. This shows the rapid pace at which globalisation is taking place, considering the fact that these FTAs are not only regional but are between core and periphery states.

On the other hand, Lee (2002) describes the World Trade Organization (WTO) as epitomising globalisation and neo-liberalism and estimates that Africa could experience a \$2 billion loss in revenue as the developed capitalist core countries will have exploitative access to the economies of underdeveloped countries. Membership to the WTO is seen as being part of a multi-lateral trading system that embraces multilateral agreements and partnerships. To name a few of these partnerships, there is the South Africa and EU FTA, US-SACU Trade Investment and Development Cooperative Agreement (TIDCA), SACU-EFTA, the EU's Economic Partnership Agreement (EPA), the SADC and EU's 'Everything But Arms' (EBA), and the USA's African Growth and Opportunity Act (AGOA).

Lewis, Robinson and Thierfelder (2003) look at how countries that are part of SADC continuously negotiated trade agreements outside of their regional organizations. They argued that these agreements with the developed countries affect regional initiatives and also hamper the creation of the SADC FTA. The latter, however, was not the case as 2008 marked the start of the SADC FTA through the SADC Protocol on Trade of 2005. Just like South Africa and the EU, the USA opted for the creation of a TDCA with SACU. The US Trade Representative (n.d) gives a brief description of the agreement, where it is coming from and what it aims to achieve.

“The TIDCA is designed to build on and potentially capture some of the progress made in previous Free Trade Agreement (FTA) negotiations between the United States and SACU, which were suspended in 2006 due to divergent views on the scope and level of ambition for a FTA. Ideally, the TIDCA will help to put in place the "building blocks" for a future FTA, which remains a longer-term objective for both the United States and SACU” (Office of the US Trade Representative n.d).

South Africa, as the regional superpower, understandably gains the most from this agreement because 96% of the US-SACU Exports go to it and 90% of SACU imports come from South Africa.

In 2008, SACU entered into agreement with the European Free Trade Association (EFTA), which comprises Norway, Switzerland, Iceland and Liechtenstein as its members. EFTA (2008) described the agreement as covering trade in goods while also paving the way forward for the two organizations to enter into further deals that involve intellectual property, investment, public procurement and trade services. The agreement also established a joint committee that performs supervisory and administrative functions for the agreement and it is also empowered to handle consultations aimed at settling disputes. In the same year, 2008, SACU also wrapped up negotiations of a Preferential Trade Agreement (PTA) with Mercosur. SACU Secretariat (2008) announced that SACU had concluded negotiations with Mercosur that comprised Argentina, Brazil, Paraguay, and Uruguay. The agreement was meant to replace the 2004 agreement because there were significant changes to this particular agreement. The Secretariat also noted that the agreement was significant because it was a deal with another developing region which put emphasis on the South-South Cooperation and integration.

Similarly, with the previously mentioned agreements, it was hoped that this agreement would be a possible gateway to future cooperation and integration initiatives. Article 2 of this revised agreement points out that its aim is to establish fixed preference margins as the gateway to the creation of the FTA between the two regions. Prior to the creation of the SACU-EU FTA, South Africa had already negotiated its own FTA with the EU, which is also covered by the Trade, Development and Co-operation Agreement (TDCA) that came into effect in 1999. One of the major issues with this FTA is that South Africa became a member of SACU, which is a customs union. Being part of a customs union means that South Africa has a common

external tariff for non-members and this goes against South Africa's action of holding unilateral negotiations. This practice was wrong in that South Africa negotiated alone knowing very well that the other members would be affected by the FTA.

The 'Everything But Arms' (EBA) initiative by the EU benefits 49 countries that are seen as the 'least developed countries' (LDCs) combined globally and of these 49 countries, 43 are from Africa. The European Commission (2013) reported that the EBA includes seven SADC member states, namely Angola, Madagascar, Lesotho, Malawi, Mozambique, Tanzania, and Zambia. The initiative started in 2001 and was tailor-made to help the LDCs integrate more with the global economy by giving them duty-free and quota-free access to EU markets with arms being exceptional to the arrangement. In 2014, the initiative was strengthened to ensure that preferences under the EU's Generalised Scheme of Preferences (GSP) are focused on the states that need them the most. This resulted in less competitive pressure on the LDCs, giving them more opportunities to export because the beneficiaries became fewer. In spite of being a great initiative for the LDCs, the EBA initiative raises the ever-present question of whether integrating globally or regionally is the panacea to the problems facing small economies. The UN maintained that Zimbabwe was one of three countries (including Ghana and New Guinea) that the Committee for Development Planning (CDP) considered as satisfying the criteria for enlistment on the LDC list but declined to be included. Zimbabwe's reasons were that they doubted the authenticity and accuracy of the data that the CDP used because they felt that the data did not give an accurate reflection of their economies.

It would have been interesting to see if Zimbabwe would have been admitted into the EBA if it had agreed to being listed as a LDC because of the sanctions imposed on it by the EU. The EBA is not all good as it poses its own challenges for the qualifying countries. Bósl et al. (2008) argue that the Rules of Origin underpinning the EBA require a lot of effort in terms of application because they require the clothing and textile industry to undergo transformation. For example, a country like Lesotho does not benefit much from the EBA because of this condition, but its clothing and textile industry has become one of its largest industries through trade facilitated by AGOA.

Another EU initiative that includes some SADC member states is the Economic Partnership Agreement (EPA), which has SACU members (Botswana, Lesotho, Namibia, South Africa, and Swaziland), including Mozambique which is not a member of SACU. The European Commissioner for Trade Cecilia Malmstrom had this to say after the signing of the agreement; -

"Trade is a tool to spur economic growth and sustainable development. It's also an important factor for integrating regions and forming stronger bonds between countries. With the Economic Partnership Agreement that we are signing today, we want to base our trade relations with our partners in the Southern African region on commonly agreed, stable rules. Trade has helped lift millions of people from poverty throughout the years. Thanks to agreements like this one, we are preparing the ground for that process to continue" (Malmstrom, cited in European Commission 2016).

The European Commission (2016) pointed out that the EPA would treat each country involved individually, taking into consideration the fact that they all have different levels of development. It sought to offer African countries duty-free and quota-free access to the EU markets. South Africa, which had already negotiated an FTA before, stands to gain even more from this agreement; most importantly, however, the African markets would be gradually opened up for EU exporters. This would help ease the negative effects that local markets are likely to be subjected to by imported goods that challenge their local produce.

The USA's African Growth and Opportunity Act (AGOA) was signed into law in 2000 by then US President Clinton, and its main objective was to increase trade with Sub-Saharan Africa while it tried to integrate the very same Sub-Saharan African countries into the global economy. Just like the EU's EBA, the AGOA also aims to integrate the involved African states into the world economy. Similar to the EBA, the AGOA also has certain criteria that a country needs to meet in order to receive AGOA trade benefits; the main criterion is that a country needs to be a Sub-Saharan African country. When AGOA was first signed into law, 34 countries were recognised as eligible for inclusion and were granted the benefits. Fast-forward to 2016, 44 Sub-Saharan countries were seen as eligible and granted AGOA benefits; of those 44, 13 were SADC member states, with Zimbabwe and Swaziland as either being not eligible or suspended.

The 2016 renegotiations of the AGOA Act saw South Africa on the brink of being ousted from the AGOA initiative. Peyper (2016) indicates that the issue was over 'the three meats', namely beef, pork and poultry. South Africa's Trade and Industry Minister, Rob Davies described the negotiations with the United States of America as being 'complex and arduous'; this is after claiming that they had negotiated the best deal for South Africa under those circumstances. However, a few months later, the effects of South Africa caving in on 'the three meats' issue were more than evident. Fabricius (2016) avers that through the AGOA negotiations, the United States of America strong-armed the South African government into easing tariffs on the United States of America's poultry coming in by threatening South Africa with losing their AGOA preferential access. The new deal saw the previously high anti-dumping duties being eased and the United States of America being allowed to export 65000 tons of poultry per year with a lower tariff than the previously prohibitive one. Kevin Lovell, who's the Head of the South African Poultry Association (SAPA), had this to say, "We expect that by the end of the year about 6 000 jobs could be lost. We don't see any light at the end of the tunnel" (Lovell 2016, cited in Booysen & Ana 2016:1). This was all due to the local poultry market being flooded by poultry imports from the United States of America, causing oversupply of the poultry. This shows one of the negative effects of pursuing global integration and in this case, it is affecting one of the region's biggest and strongest economies.

Mapuva and Muyengwa-Mapuva (2012) wrote that the EU negotiated EPAs with SACU separately, despite the fact that SACU is a recognised member of SADC. This was seen by Hancock (2010) as causing divisions between SACU members by forcing each party to negotiate separately and not under the SACU umbrella. This relates to how the EU signed agreements with Botswana, Lesotho, and Swaziland, with South Africa and Namibia delaying the signing as they wanted the EU to remove the 'Most-Favoured Clause' (MFN) clause, which means a reduction in revenue for the customs union as it requires the countries to extend the lower tariffs to third parties.

4.5 The effects of dual memberships and the challenges they bring

We have touched on the issue of multiple memberships that countries hold in different organizations in Africa and this has led to the continent having “the most RIAs in the world and every African state is on average a member of four different trade blocs. This development has created the so-called ‘spaghetti bowl effect’ that results from numerous intertwining RIAs” (Bachinger & Hough 2009:54). Table 6 below translates the ‘spaghetti bowl’ effect with a focus on SADC member states and the regional integration projects that they are a part of.

Table 5: SADC members and other RECs they are members of

Country	SADC	SACU	COMESA	EAC	ECCAS	ECGLC
Angola	✓				✓	
Botswana	✓	✓				
Democratic Republic of Congo	✓		✓		✓	✓
Lesotho	✓	✓				
Madagascar	✓		✓			
Malawi	✓		✓			
Mauritius	✓		✓			
Mozambique	✓					
Namibia	✓	✓				
Seychelles	✓		✓			
South Africa	✓	✓				
Swaziland	✓	✓	✓			
Tanzania	✓			✓		
Zambia	✓		✓			
Zimbabwe	✓		✓			

Data from SADC, SACU, COMESA, EAC, ECCAS, ECGLC

The above table shows the extent of overlapping memberships occurring across regional organizations, and more importantly, it shows other regional integration initiatives. The Democratic Republic of Congo is a member to four regional organizations, which is the highest in SADC, followed by Swaziland which belongs to 3, 11 members belong to 2, and Mozambique is the only with SADC membership

status. Chingono and Nakana (2009), Mapuva and Muyengwa-Mapuva (2014) argued that multiple memberships create an unnecessary burden on the countries' taxpayers and the projects or initiatives that the regional organizations undertake are usually duplicated, thus creating unhealthy competition. The SADC Deputy Executive Secretary at the time, Muchanga, was quoted as saying, "The overlapping of mandates does put pressure on countries to meet their obligations and this could also send confusing signals to donors" (Muchanga 2003, cited in Chingono & Nakana 2009:404). Foreign donors may be unsure of the status of a particular country which would be belonging to two or more regional integration organizations that may be having clashing ideologies or be at different levels of their integration; the case in point being SADC and SACU.

Mapuva and Muyengwa-Mapuva (2014) go further than Lee (2002) and point out that the problem may not be visible at the level of trade agreements, but the major challenge comes when the Regional Economic Communities (RECs) decide to form customs unions. They also point out the different approaches to integration taken by the RECs; for instance, COMESA follows the Classic Valerian thinking, with heavy emphasis on removing non-tariff and trade barriers as a way of reaping the benefits of integration. On the other hand, SADC is the opposite as it believes in encouraging political stability and economic independence while approaching integration through development and cooperation between sectors. They also add that overlapping memberships also have the tendency of pulling other countries into agreements that they had not intended to join. This dovetails with the previous point in the discussion of how SACU members were drawn into South Africa's FTA with the EU because they are part of a customs union and one of the characteristics of the customs union is that all members have a common external tariff. Clearly, South Africa was gaining at the expense of other member states.

Hancock (2010) argues that countries become part of bilateral or even multilateral agreements when their integration is shallow; however, when the integration is deeper and gravitating towards the level of a customs union or a monetary union, then states can only be a part of one integration agreement. This presents a challenge for SADC's prospects with regard to deeper integration by creating a customs union that would culminate in a monetary union. Lee (2002) investigated the

convergence of SADC, SACU, COMESA, and the EAC, and he pointed out that SACU had achieved a customs union while the others are still in the process of achieving it. Evidently, SACU was created during South Africa's Apartheid era, so the structures of the customs union benefit South Africa at the expense of the other members. Lee (2002) further argues that this kept the other members so heavily dependent on South Africa, leaving their own economic structures underdeveloped.

The continued practice of having dual or multiple memberships brings into question the commitment of SADC member states to SADC's integration. SADC's Protocol on Trade deals with this practice in Article 27, where it is stipulated that; "Member states may maintain preferential trade and other trade related arrangements existing at the time of entry into force of this Protocol" (Protocol on Trade Article, 1996:27). This shows the leniency that SADC has on member states that are part of other agreements that are beneficial to them on condition that such agreements are in harmony with the Protocol on Trade. Lee (2002) noted that as long as member states continue to form bilateral trade agreements during FTA negotiations, they would not be expected to fulfil FTA provisions.

The overlapping memberships are also damaging to regional blocs. Mapuva and Muyengwa-Mapuva (2014) have indicated that SADC and COMESA are the biggest in terms of overlapping membership with eight of SADC's 15 members also being members of COMESA, pushing the bloc's membership up to twenty members. SADC's FTA was planned for 2012, whilst COMESA's FTA had been planned for 2004, but the latter was delayed by challenges related to the overlapping membership with SADC. Mansfield and Milner (1999) quote Olson (1993) as stating that the larger the number of state actors, the more complex and severe the challenges become. So, in terms of numbers, COMESA has more members than SADC, which could also be one of the factors contributing to their plans yielding low results.

Zambia provides a typical example of the problems emanating from overlapping memberships because as a SADC member, it is required to have zero tariffs with members. This becomes a problem as its COMESA membership requires it to have a common external tariff against non-members; so, this presents a problem for the seven non-COMESA members that are SADC members. Another example would be

that of Swaziland; since the COMESA FTA launch, 14 of the 19 members had achieved zero tariff trades except for Swaziland which has been exempt because of its SACU common external tariff requirement (African Development Report 2014). In 2015, the launch of a Tripartite FTA (TFTA) between SADC, EAC and COMESA brought hope in terms of addressing some of the challenges that the regional organizations are facing because of the overlapping memberships. According to Mold and Mukwaya (2017), the TFTA involves twenty-six countries in total, with twenty-four countries having signed its declaration, leaving out Libya and Eritrea that are yet to sign it. As of July 2017, the TFTA Declaration has only been signed by twenty out of the twenty-six countries and the agreements need to be ratified by fourteen countries for it to start being in force; however, there has not been any ratifications as yet. This can be seen as a positive step towards addressing the issues that plague the regions when it comes to their FTAs and a positive step towards African integration and the recognition of the idea of a 'United States of Africa'. Article 5 of the TFTA deals with the objectives of the TFTA, which are:

- a) Promoting social and economic developments within the region.
- b) The creation of a large single market that has free movement of services and goods which will encourage intra-regional trade.
- c) To promote the integration processes continentally and regionally.
- d) Ensure that the TFTA is strong and will benefit people in the region.

For the TFTA, there shall come a time when it has to be dissolved when the involved RECs begin to form their own customs unions and a state cannot be part of two customs unions. The practice of belonging to multiple and overlapping regional organizations is brought on by the benefits that it offers the country (African Development Report 2014). It is also important to note that the formation of all these organizations had unique beginnings; for instance, SADCC, which gave way to SADC, was created as a way of enabling its erstwhile members to be less dependent on South Africa's Apartheid regime. In contrast, COMESA started as the Preferential Trade Area of Eastern and Southern Africa, which was designed to pave the way for the desired African Economic Community, but it later became COMESA. The Intergovernmental Authority on Drought and Development (IGADD) also transformed itself into the Intergovernmental Authority on Development (IGAD), which meant that their mandate was changed into economic integration and the membership was

expanded. An example of states that benefited from this practice is Kenya, which benefited from the deep integration of the EAC's economic union, while also benefiting from COMESA's larger market. So, when it comes to the question of whether the benefits do outweigh the costs, the answer is yes, as it does in most cases. African RECs were all formed out of unique circumstances so had different aims and goals; however, they all shifted towards market integration. So, in as much as member states benefit from multiple memberships, there is bound to be a clash between what the different memberships demand. Mansfield and Milner (1999) and Olson (1993) argued that the more members, the more complex the issues are in terms of solving them. It is interesting to see how these new agreements deal with the many problems that the regional bodies have been facing on their own.

The African Development Report (2014) saw a way of dealing with the challenge of overlapping memberships. The Report envisions a situation where two FTAs are involved and the country belonging to both is obliged to apply both of their economic or policy requirements. A workable solution would be only achieved if the RECs in question had Rules of Origin and tariff phase down schedules that are different. The country in question would have to setup an administration system that will assist the private sector take advantage of both systems. This, however, can only be a quick fix because there shall come a time when the phase down schedules collide and the country in question would be torn between having no tariffs with member states and common external tariffs for non-members as the Zambian scenario demonstrates. So as much as it is beneficial to practise overlapping memberships to RECs in the short run, it does provide challenges that in turn pose a threat to the region's integration goals in the long run.

Different scholars have proffered different suggestions on how regionalism should be applied in Africa for it to have a prosperous future in terms of being Africa's tool for battling being part of the periphery. Lee (2002) looks at two suggestions on how regionalism could be added. The first idea was proposed by Jeffery Fine and Stephen Yeo, who argued that African regional integration requires an external guarantor. In this context, the external guarantor is the EU. This is a problem since the heavy reliance on the developed core countries is what African countries should aim at moving away from. Lee's (2002) second suggestion is to substitute the EU model

completely with a model that suits Africa's strong points, particularly the continent's booming informal economy. Boas et al. (1999) in Lee (2002) strongly believe that the informal economy needs to be included in and combined with the formal economy.

The strength of SADC's informal sector can be seen through a 1999 study done by the United States Agency for International Development (USAID) which investigated the cross-border informal economy that exists between SADC neighbours; Malawi, Zambia, Mozambique and Tanzania. The study found that the informal trade taking place between these states was actually greater than the formal trade that the countries share, with only the formal trade between Malawi and Mozambique being the exception. This was attributed to the relatively permeable SADC borders that allowed informal trade to occur with great ease. Chingono and Nakana (2009) also found the same results, but their study looked at informal traders that migrated into South Africa from all over Africa. The findings showed that compared to the ECOWAS region, SADC's unrecorded informal trading was quite large. These two studies seem to suggest the need to tailor-make regionalism to suit African realities through recognising the fact that the challenges result from the fact that what is being applied in Africa does not speak to African situation.

To help stimulate intra-regional trade while also minimising the practice of exporting primary raw material to the developed core, which comes with importing expensive finished products, SADC should consider intensifying production sharing. Burstein, Kurz and Tesar (2008) looked at the positive development that Boeing achieved in the production of their Boeing 787 Dreamliner aeroplane through the use of about 50 suppliers across 4 continents. This helped stimulate production to more profitable levels as other suppliers and experts may be more equipped to do certain tasks more efficiently than the main producer. More importantly, in the case of SADC, production sharing would increase interdependency between regional industries which would be beneficial to competing industries. Production sharing would also require that SADC strengthens some of the links between the member states that are involved in that production chain. For instance, Cattaneo (2008) suggests that the links that would need to be improved are: communication; transport; quality control; insurance; and managerial coordination. Thus, SADC ought to ensure that the infrastructure required to stimulate this undertaking is readily available.

4.6 Significance of the fall of the SADC Tribunal

The SADC Tribunal is understood to have been created under the auspices of Article 16(1) and (2) of the SADC Treaty, with its composition, procedures and competencies clearly being mapped out in the Protocol that came into effect on the 14th of August 2001 (Wet 2013). SADC's hopes of development and integration are embodied in the Tribunal. As the regional body's key institution and judicial arm, the Tribunal would ensure that rule of law is upheld in the region. The SADC Tribunal's Registrar, Mkandawire, pointed out that:

“You cannot have development, you cannot have proper regional integration if you do not entrench the rule of law, democracy and human rights...the Tribunal is a catalyst for integration. It's an important instrument in obtaining the objectives of SADC. Whether one likes it or not, in the process of integration, disputes are bound to arrive and these disputes have to be interpreted by an impartial body. Later on these cases will involve member states themselves” (Mkandawire 2010).

The Tribunal was not only given jurisdiction over matters arising between states, but most importantly, its jurisdiction extends to disputes involving SADC citizens against any of the SADC member states, including their home country. Basically, the SADC Tribunal was the last hope for aggrieved citizens that felt that their national judiciary had failed them. A case in point would be the Zimbabwean farmers that were victims of the Fast-Track Land Reform Programme that resulted in land grabs. As mentioned earlier, one of the gravest problems with states and regional integration is the hesitation to lose some level of sovereignty to a supranational institution. When the SADC Tribunal was formed, it was seen as heralding a new era where states were willing to have a supranational judiciary that would play a role in overseeing the region and hopefully issuing binding judgements which local or national judiciaries were incapable of handing down. Wet (2013) pointed out that in its five-year reign, the SADC Tribunal had handed down 19 judgements 11 of which involved Zimbabwe. Out of the 11 judgements, 8 were related to the land grab cases that stemmed from the Fast-Track Land Reform Programme.

Throughout its entire existence, the SADC Tribunal heard numerous cases and over 50% of them were relating to Zimbabwe. This shows the turmoil that existed within Zimbabwe at this period which includes the period before the Tribunal's inception as

well as after its reinstatement. The case that brought an abrupt end to the SADC Tribunal was the Campbell case brought forward by the disgruntled Zimbabwean White farmers that felt the Zimbabwean High Court had erred in ruling against them in the land grab case. The SADC Tribunal, however, ruled in favour of the White farmers to which "...Zimbabwe contended that the Tribunal was illegally constituted. It further proclaimed that it would neither appear before nor respond to any suit instituted before the Tribunal and that any prior or future decisions against Zimbabwe were null and void" (Wet 2013:52). This set-in motion the events that led to the suspension of the Tribunal and its subsequent reconstruction and re-assignment to new jurisdictions. SADC has been blasted for taking these actions because as mentioned earlier, the Tribunal was seen as a beacon of hope for SADC and the willingness of Member States to lose some judicial sovereignty to a supranational institution.

The SADC Tribunal Protocol, specifically Article 32 (1), provides that: - "The law and rules of civil procedure for the registration and enforcement of foreign judgments in force in the territory of the State in which the judgement is to be enforced shall govern enforcement" (SADC Tribunal Protocol 2000:9). This means that the judgements handed down by the Tribunal were meant to be applied by the state in question in accordance with their own procedures governing the application of foreign judgements. Now this can be problematic, for instance, the Campbell case was escalated to the SADC Tribunal after the complainants had failed to get a favourable judgement from the Zimbabwe High Court. Thus, it comes as no surprise that when the judgement on the Campbell case was handed down, the Zimbabwean High Court did not apply the judgement. Wet (2013) reiterates that enforcing the SADC Tribunal's decision on the Campbell case would be tantamount to the reversal of the land reform programme that was in accordance with the Zimbabwean Constitution and it had already been endorsed by the Zimbabwean Supreme Court. So, one can argue that the SADC Tribunal may have been crippled from the very onset, because Zimbabwe was able to use one of the Articles in the Tribunal's Protocol to reject the application of the judgement in favour of Campbell.

The above case had huge consequences not only for the Tribunal but for SADC as a whole because in Articles 16 and 32, which talk about the Tribunal in the SADC

Treaty, Article 16 (5) says: “The decisions of the Tribunal shall be final and binding” (SADC Treaty 2015). *De jure*, the powers of the Tribunal are well documented; however, *de facto*, it is not the case because the Tribunal has not been given or empowered with institutional power to ensure compliance with its rulings. “It is then up to the Summit, in accordance with Article 33 (1) and 33 (2) of the SADC Treaty, to impose sanctions on a country which persistently fails without good reason to fulfil obligations assumed under the SADC Treaty” (Wet 2013:58). Unfortunately, the SADC Member States neither sanctioned nor forced Zimbabwe to accept and apply the judgement. However, they proceeded to suspend the Tribunal and amended it to handle cases that were only inter-state. This left the Tribunal without much work because most inter-state disputes are usually dealt with through political means and trade disputes are handled through the Trade Protocol.

Following this development, Wet (2013) and Manyathi-Jele (2014) commended that the Summit suspended the Tribunal in August 2010 pending its review by an external body. Fabricious (2011) mentions how WTI Advisors, a private company was chosen to carry out this review. The review would concentrate on addressing the following:

“The review process was required to address *inter alia* the jurisdiction of the Tribunal; the interface between Community law and national laws in the SADC; the mandate of the existing appeals chamber of the Tribunal; the recognition, enforcement of the Tribunal’s decisions; the lack of clarity in some provisions of the SADC Treaty and the Tribunal Protocol; the tendency by Member States to give primacy to domestic laws or jurisdiction over SADC law; and the reluctance of Member States to relinquish some aspects of their sovereignty to the SADC” (Saurombe 2012:469).

The independent consultancy concluded, upon completion of its review, that the Tribunal was constituted accordingly and the decisions handed down to the member states were binding. Not only were the decisions binding, but the WTI Advisors “implied that the tribunal’s powers should be increased by recommending that SADC member states amend national law to make explicit that it was subordinate to SADC law” (Fabricious 2011). Upon receiving the review by WTI Advisors, that empowered the Tribunal’s ruling, which meant that Zimbabwe had to apply the Tribunal’s judgment or face sanctions. SADC did not reverse the suspension or strengthen the Tribunal as suggested; rather it took a different decision (Manyathi-Jele 2014). After the review in May 2011, the SADC Heads of State decided to further extend the

suspension of the Tribunal as they wanted a report from the Zimbabwe's Attorney General.

The SADC round table stakeholders' meeting regarded the suspension of the Tribunal as illegal because the SADC Treaty does not set aside such rules. Moreover, "the SADC Summit did not act in accordance with the Treaty's own amendment procedures. Therefore, the legality of the purported suspension of the Tribunal can be challenged" (Manyathi-Jele 2014:1). The demise of the Tribunal following such a critical judgement against Zimbabwe does not come as a surprise because most SADC Member States, including African states, saw the late former President Mugabe as the 'father figure' and an icon of Africa's independence. In terms of crisis management and mediation in Madagascar, SADC acted differently compared to what they did to the Zimbabwean situation. Nyakudya (2013) looks at how the former liberation movements such as South Africa's ruling party the ANC, usually sided with Mugabe's Zimbabwe African National Union-Patriotic Front (ZANU-PF). On the other side, Botswana, Malawi and Zambia share a different colonial history path; thus, they tended to be on the MDC's side. For example, the DRC was bound to exhibit loyalty to Mugabe as Zimbabwe's military helped foil a *coup d'état* that would have seen the DRC fall under the hands of rebel forces.

Christie (2011:1) alleges that during the Tribunal's creation, the Tanzanian President at the time, Jakaya Kikwete, told his fellow Heads of State that, "We have created a monster that will devour us all." This thinking from one of the Heads of State was worrisome because they were the ones that needed to be empowering the SADC Institution. Nonetheless, with such thinking, it is not surprising that the SADC Tribunal was rendered toothless at the first opportunity. President Kikwete's statement was in direct contrast with the statement made by SADC Chairperson, Namibian Prime Minister Nahas Angula, at the time when the SADC Tribunal was launched. Further, "Litigants are now welcome to bring disputes: the SADC Tribunal is a beacon of hope for those who appear before it and seek justice. The independence of the SADC Tribunal is sacrosanct" (Angula 2011:1). The then SADC Chairperson and a few other leaders including Mugabe himself saw the good in the launch of SADC's Judicial wing. The surprising part is that Mugabe himself was one of the leaders that oversaw the creation of the SADC Tribunal. It is a pity that when the same institution was

executing its intended mandate, it ceased to be sacrosanct and they stepped in, interfered, and overturned its ruling. When asked, Patrick Chinamasa, then Zimbabwe's Minister of Justice could "not explain why, nine years after Mugabe had signed the Protocol, Zimbabwe had yet to ratify the document. Chinamasa's argument implied that the government could legitimately evade the Tribunal's jurisdiction because of the government's own failure to table the Protocol for ratification by parliament" (Chinamasa, cited in Nathan 2013:876). This not only displays Zimbabwe's lack of commitment to SADC and its institutions, but it also shows how Zimbabwe will use all avenues available to ensure that it cannot be bound to some RI decisions.

One can argue that the Tribunal's ruling would have favoured Zimbabwe if its government had given the farmers fair compensation for the farms and ensured that the land really went to the poor instead of Mugabe's loyalists. Undoubtedly, this problem was brought on by Zimbabwe's past and it is a challenge to deal with issues from a colonial past in a democratic dispensation characterised by rule of law as one cannot simply revert what was done by the authoritarian regime without backlash. The Tribunal supposed that Zimbabwe had to execute the land redistribution exercise within the parameters of the rule of law. The Southern African Litigation Centre Director, Nicole Fritz, voiced this concern, thus: "The decision to deny the region's inhabitants any access to the tribunal is astounding and entirely without any lawful basis" (Fritz, cited in Sasman 2012:1).

In its defence, the Zimbabwean government challenged the Tribunal's jurisdictions. Wet (2013) looks at how Zimbabwe questioned the Tribunal's jurisdiction by saying that the plaintiffs had not exhausted local remedies and the Government went on to say that the Tribunal had no jurisdiction over human rights disputes. For example, "Subsequent to the Campbell Decision, notably as of August 2009, Zimbabwe contended that the Tribunal was illegally constituted. It further proclaimed that it would neither appear before nor respond to any suit instituted before the Tribunal and that any prior or future decisions against Zimbabwe were null and void" (Wet 2013:52). This was a clear indication that the Zimbabwean government had no intention to recognise the rulings made against it by the tribunal in the land expropriation cases. Fabricius (2013) reported speaking to Judge Ariranga Pillay,

Judge Pillay blamed South Africa for being an accomplice along with the other SADC member states on the destruction of the tribunal. The Judge also pointed out that it was ironical that President Robert Mugabe, who was leading the fight for the downfall of the Tribunal, was actually one of the statesmen that spearheaded its inception.

It is intriguing to note that the SADC Tribunal was suspended and crippled after performing a function that it was created for. The disbanding of the Tribunal is not without adverse implications for the region. The Director for Southern Africa Litigation Centre National, Nicole Fritz, mapped out the more obvious implication, which is the “potentially fatal blow to the rule of law in the region” (Fritz in Cape Times 2011). However, according to Cape Times (2011), SADC’s actions were seen as the regional body’s failure to hold President Robert Mugabe accountable for the illegal activities perpetrated by his regime. Not only did the regional body fail to hold Mugabe accountable at the time, but it also defended him instead of defending the rule of law which protects the best interests of the region’s population. When it was launched, the SADC Tribunal was seen as the region’s demonstration of its commitment to the protection of the rule of law. This is an important message to portray to the world as the region ought to be viewed in this light by its potential investors and aid givers.

4.7 Notable successes and prospects of regionalism in SADC

Since SADC is based on the EU’s Market Integration model, it also has similar end-goals in its integration project, and these are marked by certain phases and milestones. SADC²⁰ hopes to move forward with the integration it initiated through a Trade on Protocol in 1996, which was amended in 2000, 2007, and 2008 for the clarification of the Rules of Origin and to also add annexures for the sugar trade and agreements. Sakyi and Opoku (2014) list the progress of economic integration as: - Preferential Trade Arrangements (PTAs) -> Free Trade Areas (FTAs) -> Customs Unions -> Common Markets -> Monetary Unions -> Economic Unions. Khandelwal (2004) and Hancock (2010) detailed the initial timeline SADC had hoped to adhere to, which are: to “liberalize 85% of intra-regional trade by 2008, liberalize 100% of

trade by 2012, form a customs union by 2010, a common market by 2012, and a monetary union by 2016” (Hancock 2010:13). In order to track its progress and plan ahead, SADC introduced the Regional Indicative Strategic Development Plan (RISDP) in 2003, which would outline what the region aimed to achieve through SADC’s Common Agenda (Chingono & Nakana 2009). SADC describes the RISDP as “a comprehensive development and implementation framework guiding the Regional Integration agenda of the Southern African Development Community (SADC) over a period of fifteen years (2005-2020)” (SADC Strategic Plans 2012). The initiative should be the driving force behind regionalism in the case of SADC; however, it does also bring back into the equation the question of whether some of the goals are too ambitious considering their timelines.

SADC’s success depends on the formation of the Regional Indicative Strategic Development Plan (RISDP) that was formed in 2001 and approved in the 2003 Summit with a work span of 15 years, from 2005 to 2020. Briefly, SADC defines it as “a comprehensive development and implementation framework guiding the Regional Integration agenda of SADC... It is designed to provide clear strategic direction with respect to SADC programmes, projects and activities in line with the SADC Common Agenda and strategic priorities, as enshrined in the SADC Treaty of 1992” (SADC Strategic Plans 2012). All this aimed at poverty alleviation and the achievement of deeper integration in the region. “RISDP reaffirms the commitment of SADC member states to good political, economic and corporate governance, a culture of democracy, full participation by civil society, transparency, respect for the rule of law and poverty eradication” (Chingono & Nakana 2009:400). On paper, the RISDP is a good initiative, though it has suffered major setbacks as it has failed to deliver timeously on some of its goals as mentioned earlier, with most goals being pushed beyond their planned timelines. It would be too harsh to perceive these setbacks as a failure since the SADC FTA bears testimony to the fact that the goals are actually achievable at a later stage.

In terms of structures and institutions, national committees are responsible for national level input when it comes to the development of regional policies and these committees are also responsible for the application of SADC programmes at a national level. This is important as it ensures that SADC’s policies are always in touch

with what is experienced at a national level and that SADC programmes reach the intended population within the member states. This makes the committees an effective tool that countries can use to influence SADC and to ensure that their national challenges and problems can be addressed at a regional level. Chingono and Nakana (2009) looked at the Strategic Plan of Action (SPA) that was established by SADC's National Committee for the sole purpose of overseeing the implementation of SADC's programmes at national level in all member states. In 2001, SPA recorded a total of 407 projects that were being implemented at a national level at a cost of around US\$8 billion. Division of labour was also another initiative that enhanced regional integration since it allocated each member state one if not more sectors in the region to facilitate and be responsible for the ironing out of any issues that might be experienced by the region in that particular sector.

The SADC Secretariat described the RISDP as "a 15-year regional integration and implementation framework which was developed in the context of the review of operations of SADC institutions in order to enhance their efficiency and effectiveness in delivering the organization's overarching goals of social and economic development and poverty eradication" (SADC Secretariat in RISDP Assessment 2011:25). At its launch in 2003, the Regional Indicative Strategic Development Plan was meant to explain the SADC Common Agenda, which encapsulated the objectives that are set out in Article 5 of the SADC Treaty, along with the strategies to be used to achieve the specified objectives. The first target was the establishment of an FTA by 2008 through the SADC Protocol on Trade established in 2005. As mentioned earlier, this target was achieved as the FTA was established in 2008. It is important, however, to note that only the minimum conditions of the FTA were achieved, as 85% of intra-regional trade has zero duty. In 2012 the maximum trade liberalisation was reached, while SACU as a customs union had been achieved in 2007 and Mozambique was expected to achieve it in 2015.

In as much as the region has a recognised FTA, it is important to note that not all the SADC member states are recognised members of it, which can be seen as one of the reasons the region had to postpone some of its timelines. Angola, the Democratic Republic of Congo and Seychelles all remained outside the FTA. The reasons why Angola and the DRC were late are tied to the recent intra conflicts that the two

member states had experienced which meant that it slowed down the processes needed to be able to join the SADC FTA. With regards to the Seychelles their main reason for not being part of the FTA was the fact that they had recently joined SADC as a member state as mentioned in section 3.2. Malawi undertook to effect tariff changes that were aligned to COMESA and SADC tariffs and the SADC Secretariat had to assess these changes to ascertain whether they complied with SADC's Trade Protocol. Owing to its major economic woes, Zimbabwe faced challenges that made it difficult to drop its tariffs for what is referred to as sensitive products; so it was given a period of two years, between 2010 and 2012, to suspend the process of phasing tariffs down. In addition, African Development Report (2014) notes that in 2012, Zimbabwe added surtax on goods that it had imported from SADC members and this went against the SADC Trade Protocol that sought to cut tariffs. Following this development, Medupe (cited in Pretoria News 2016) reported that the Zimbabwean government issued some trade restrictions against South Africa, which was actually a blow to intra-regional trade as they included import bans, import duty increases, surcharges, and other restrictive measures.

In response to the above restrictions, the South African Department of Trade and Industry (DTI) issued an empathetic statement, thus; "The position of the government of Zimbabwe is that these trade restrictions are necessary to support the development of local industries and to relieve the pressure of economic sanctions that have led to balance of payments challenges" (Medupe, cited in Smith 2016). Tanzania, on the other hand, requested that its sugar and paper industries be given till 2015 to tariff phase down by issuing 25% import duties to imported products of the same nature that they produce. The impact of the SADC Trade Protocol was evident in that intra-regional trade within SADC doubled and the estimated growth between 2000 and 2009 would be around 155%. Despite SADC's optimistic growth projection, the region lost about 17.8% of its share in intra-African trade compared to the previous period.

SADC created the Trade Monitoring and Compliance Mechanism that would monitor the implementation of the FTA and identify and iron out the challenges affecting it, including non-tariff barriers. SADC Major Achievements and Challenges (2005) saw the reduction of tariffs and non-tariff barriers as important to encourage cross-border

trading, for manufacturers to acquire resources regionally, and ensure that the market has competitive local produce that is of good quality. The above-mentioned issues along with some member states taking longer to be part of the SADC FTA can be seen as one of the challenges that have caused SADC to miss its target for the establishment of a customs union by 2010. SADC blamed the slow progress and the missed goals on the SADC Secretariat's lack of capacity to implement the RISDP, which started late, hence the missed customs union deadline, which meant that the SADC Common Market and Monetary Union would also be pushed back.

In 2008, SADC also launched a programme of action that tackles the issue of the youth, vulnerable children and orphans and that is one of the challenges facing the region. SADC POA (2008) indicates that the goal is to tackle and reduce the vulnerability and deprivation that orphans, vulnerable children and youth (OVCY) of SADC are currently experiencing. The objectives set out in it were to:

- Establish an environment that can lead to the creation of legislation and policies that would reduce the problems facing OVCY.
- To ensure that SADC Member States are capable of creating and implementing programmes and policies that seek to support OVCY.
- To ensure that there is harmony in the region when it comes to the sharing of best practices on OVCY issues.
- To ensure that the region is capable of undertaking responsive programmes and policies that are based on OVCY in the region; and
- To ensure that financial and human resources are readily available.

This cannot be fully seen as a notable success as the fruits of this project have not been recognised or well documented, with that in mind the fact that the regional body identifies this regional problem and has taken steps to address shows progress and a way forward. With the delays that the region has faced in the past with other projects it is yet to be seen if this will yield the intended outcomes, this can be seen a prospect for the region.

Lee (2002) avers that the region has sectors that are highly contested, meaning SADC Member States find themselves in competition for those sectors. These sectors are motor vehicle sector, clothing and textiles sector, and the sugar production sector. Lee (2002) explains how member states got around the sugar issue with SADC's Sugar Agreement of 2012 which details the specifics of the agreement. The agreement was intended to support the regional sugar producers

while increasing cooperation between them. For example, “SADC Member States with a sugar surplus are allowed to export an agreed portion of that surplus sugar to SACU member countries without paying any customs duty (duty-free). The amount of sugar each SADC Member State may export to SACU is proportional to the Member State’s share of the total SADC sugar surplus” (SADC Integration Milestones 2012). The agreement shows how SACU and SADC worked together to come to a suitable agreement that could favour both groupings.

Jefferis (2007) looks at the creation of a monetary union by the SADC region and points out that the pursuit and plan of achieving a monetary union one day points to the commitment that exists for regional integration. Considering the EU, which is arguably the champion of market integration and regionalism, it is important to note that it took it 50 years to achieve its monetary integration. This shows that SADC still has a huge task in terms of reaching its goals; hence, there is no need to rush them. Jefferis (2007) also warns of the dangers of fast-tracking the monetary union, which could end up overlooking the fact that it requires the appropriate policies to be in place for it to be successful. Looking at SADC alone, the heterogeneity of the economies does not provide a suitable landscape for such an undertaking. SADC is only at the FTA stage of its integration; so, as the region progresses through to the customs unions and common markets, it will then satisfy the conditions needed for a monetary union.

The lack of adequate infrastructure has been named as one of the challenges facing SADC in its quest for deeper integration, not forgetting that it is one of the biggest non-tariff barriers to trade in the region. The Southern Africa Transport and Communication Coordinating unit (SATCC) is SADC’s tool of addressing the issue of lack of transport and communication infrastructure through cooperation and coordination. The member states, through SADC’s joint approach to addressing the transport infrastructure issue, formed cross-border regional transport corridors. The SADC Protocol on Transport Communications and Meteorology of 1996, specifically Chapters 3, 4, 5, 6, 7, 8, and 9, seeks to provide the framework needed to address the transport challenges. The RISDP (2001) maps out in detail the strategies and policies that shall be used for the transportation challenges. The RISDP set out four targets it hoped to achieve in a specific timeline and these were:

- The liberalisation of the regional transport markets by 2008;
- The harmonisation of transport policies, standards and rules by 2008;
- The recovery of all costs incurred in infrastructure maintenance by 2008, with 2013 seeing full infrastructure investment cost;
- The removal of all hindrances and impediments that hamper the cross-border movements of persons, services and goods by 2015.

As has been discussed previously some of the deadlines that the RISDP set out have been missed and the progress has been slow and met with challenges but it is a notable prospect because the programmes are ongoing even though they are at a slower pace.

The Principal Director of the Immigration Department, Clemence Masango said, “all SADC nationals no longer need visas to enter Zimbabwe as they are now in Category A of our visa regime” (Masango, cited in Citizen 2016). This shows intent by the Zimbabwean government in terms of forming a deeper integration with the region. It however unfortunate that Zimbabwe is in the process of scraping visa requirements for people that are from SADC member states while Zimbabweans will not be afforded the same from the other SADC member states. There is a mixture of how Zimbabwean passports are received by the rest of the SADC countries with others not requiring visas and some requiring them but issued on arrival. Madagascar, Seychelles and Tanzania are the only countries out of all the SADC member states that issue a visa on arrival. The other states are also in the process of following Zimbabwe’s league as per SADC’s integration goal. This could also be seen as a move to help the country’s ailing tourism sector, which was described by the 2015 World Economic Forum Global Travel and Tourism Report (2015), as one of the low performing countries in this sector out of 141 countries. For the prioritisation of Travel and Tourism, it was ranked number 112 out of 141 and on international openness it was ranked number 113 out of 141. So, this is not only a positive move towards regional integration, but it could also help the country upgrade its tourism industry that only accounts for 5.6% of its total GDP.

4.8 Uniting for power

One of the major successes of the SADC region is its Southern African Power Pool (SAPP) that came into effect on the 28th of September 1995; surprisingly, it is the first International Power Pool that exists outside of America or Europe.

The massive flows of the Zambezi and Congo rivers carry an estimated 15 000mW of generating capacity between them. Projections for the Inga Dam in DRC suggests that it has the potential to generate 50 000mW alone...the Kudu gas fields in Namibia and the Tamane and Pande fields in Mozambique contain significant deposits in excess of 50 Billion cubic metres (Hervey & Stephan 2008:67).

The above shows the sheer tenacity and the incredible potential that existed within the region in terms of energy generation. The Times (2005) reported that South Africa accounted for around 90% of Africa's entire coal production and that it generated almost 50% of Africa's electricity needs. The potential of the region is one of the factors that contributed to the creation of SAPP, which has reaped many benefits for the region since the power utilities involved are diverse in their power generation. Hervey and Stephan (2008) go on to mention that the success of this project is also linked to the fact that it is highly technical; so, the governments involved allowed national power utility companies to spearhead the project, which moved it from being a state interaction to being a power utilities interaction. This meant a smoother operation involving less red tape and less politics in initiating the SAPP. Announcement of the arrival of Sinosteel in 2014 suggested that the company was "considering the construction of a US\$780 million power plant that would generate 400 megawatts using coal-bed methane gas" (Marawanyika 2014). As much as this deal was influenced by the companies conducting mining operations in Zimbabwe, it would indeed help Zimbabwe with regards to providing electricity to its population and add onto the SAPP grid.

Further, "The Grand Inga project will be developed via public private partnerships and managed by private entities. This begs the questions why government is not applying the same principles to the local market" (Niekerk 2014). The successful setting up of the SAPP is also in conjunction with this idea of leaving politics behind and allowing private entities to be more hands-on than the politicians. Stephan and Hervey (2008:70) aptly noted that there was political commitment by the member

states on the setting up of the SAPP. This then allowed the power utilities in the states to actually take charge, making coordination and cooperation much easier between them. The authors are quick to point out that the technical nature of the sector made this task much easier. This is evidence suggesting that the liberalisation of markets could be good for the economies of the regional countries as it helps in their growth and nurture.

Another positive step in the direction of regional integration is the imminent formation and adoption of the SADC parliament, with the SADC Parliamentary Forum being hosted in South Africa in 2015. The Forum's Vice President, Joseph Njovuyalema was quoted as saying, "We have the regional executive and tribunal, but are still missing the third arm, which is the regional legislature" (Njovuyalema 2015, cited in Ntuli 2015). This is meant to bring about regional laws that will then be adopted by member states at the national level. This ensures that states abide by the same rules; thus, the recent cases that the SADC Tribunal had to preside over with regards to Zimbabwe and human rights would be kept at a minimum as the region would be applying the same legislation.

4.9 Conclusion

This section initially focused on SADC's regional integration performance through use of the ARII, which provided tangible data on how SADC how performing compared to the other African RECs. The dominant finding was that South Africa led most of the indices not only in SADC but the whole of Africa. It was also interesting to see Zimbabwe's recovery trajectory as in 2019 it was one of the best aggregate performers. We then went on to look that the institutional power that SADC institutions have, the importance of this shown through the events that took place with regards to the SADC Tribunal. A key finding was the fact that power is concentrated with the SADC Summit and the fact that decisions need to be reached by consensus with no alternative if none is reached. The effects of globalisation were also not helping the region as we looked at indices that showed that majority of the SADC members are struggling to climb up in major indices.

One of the biggest challenges to SADC's regional integration project is the issue of dual membership, we dove into its complex web that not only hinders the individual RECs but also is a heavy financial burden to the states as they have to pay fees for all the RECs they are members of. In greater detail we looked at fall of the SADC Tribunal which was brought on by the land grabs case and the failure of the other member states to hold Zimbabwe liable to the Tribunal's ruling. This also showed the troubling fact of how SADC institutions lack the necessary powers to carry out their intended functions. To conclude the chapter, focus was on some of the notable success SADC has achieved with one of the key ones being SADC's unity when it came to electric power generation. The progress made with the just shows the potential that the region holds when it works together.

CHAPTER 5

SADC AND THE ZIMBABWEAN CRISIS

5.1 Introduction

This chapter seeks to interrogate the dynamics of regionalism in the SADC region by focusing on the relations and engagement that exist between the members states and regional body. It aims to do this through an exploration of the manner in which Zimbabwe and its internal challenges featured on the SADC agenda; it further explores the regional body's initiatives developed to deal with the Zimbabwean crisis. The chapter begins by exploring the background to Zimbabwean crisis. The subsequent sections explore and account for the various initiatives taken by SADC and other member states and the geopolitical engagements that ensued with relation to Zimbabwe's crisis as well as for the purpose of moving integration forward.

Zimbabwe is a landlocked country that shares a common history with all of its SADC counterparts – a history of White colonialism. As stated in Chapter 1, Zimbabwe was part of the Frontline States (FLS) states that spearheaded the creation of SADCC that paved the way for the formation of SADC. Former President Robert Mugabe is being recognised as the champion of decolonisation as he led the struggle for the liberation of Zimbabwe and also assisted South Africa's African National Congress (ANC) in its struggle against the apartheid regime. This suggests that Zimbabwe has been an important state with a significant role in regional politics and in the struggle against apartheid in the region. Once a vibrant economy, it was renowned for being the breadbasket of Africa. However, over the last two decades, the country has been immersed in political and economic turmoil, with multiple implications and consequences for the neighbouring states. Indeed, such interrelatedness and the sense of solidarity have, in many respects, necessitated the need for SADC and its member states to engage with Zimbabwe on the regional body's agenda.

5.2 Considering the Zimbabwean crisis, its local and regional dimensions

Ndlovu-Gatsheni (2003) considers Zimbabwe's post-colonial period as having been shaped by three important contexts: firstly, the brutal nature of the former colonial and authoritarian State; secondly, a protracted nationalist armed struggle that gave birth to the new State; and thirdly, the fundamentals underpinning its peace and security as framed by the geo-political realities existing within the Southern African region. The Zimbabwean crisis had been simmering for a while, as the Zimbabwe African National Union Patriotic Front (ZANU-PF) had to confront the daunting task of redressing the legacy of the former colonial state and transforming the authoritarian State that it had inherited into a democratic State with democratic infrastructure and institutions. However, the transformation did not occur as most observers had hoped it would, with ZANU-PF mimicking its former colonial masters, thus reconfiguring authoritarian rule. Zimbabwe's liberation movement had arguably fallen victim to what Frantz Fanon (1963), in his book titled *The Wretched of the Earth*, describes as the crisis and weaknesses of the "National Bourgeoisie", the concept central to his chapter 'Pitfalls of National Consciousness'. Muzondidya (2009) argues that the shift from the Rhodesian Front to ZANU-PF was just a continuity of authoritarian rule. According to Muzondidya (2009), this is evident in the fact the new political elites who took over political power had failed to transform the political institutions from authoritarian into democratic institutions.

Echoing Fanon's argument, Nzongola-Ntalaja (1987), contends that after the liberators have assumed power in the post-colonial State, they occupied the position of a 'regulator' that seeks to defend the very contradictions that brought about their existence as a liberation movement. Nyakudya (2013) expresses the same sentiments but pays particular attention to the challenges confronting the post-colonial State. According to him, "The post-colonial government was faced with the daunting task of building a nation, restructuring the state, 'democratising the inherited authoritarian colonial institutions', and reconstructing infrastructure" (Nyakudya 2013:87). Nyakudya (2013) and Ndlovu-Gatsheni (2013) both argued that the post-colonial State (Zimbabwe), in its very creation, was not people-centred; rather, it put prioritised the interests of the nationalist bourgeoisies that led the fight for

independence. This meant that it would not become the State for the people, but that for the select few who even feel entitled to rule it by virtue of having led the fight for independence. Tangri (1999:10) captures this situation in the following words:

“To secure political incumbency, public benefits [are] distributed and opportunities to profit provided along political lines. Thus, in their quest for self-preservation, state elites ... [dispense] government-controlled resources – jobs, licenses, contracts, credits – to select political allies as well as mediating access to economic opportunities in favour of close associates so as to enhance their hold over state power”.

The very condition of the Zimbabwean conflict is thus attributed to the impulse to maintain authoritarian rule and the desire to hold on to power as demonstrated by the intransigence that characterised the Mugabe regime. For Raftopoulos (2009), however, the situation is a bit more complex, and he suggests that the main proponents of the crisis are the long-term structural economic and political legacies that were brought on by colonial rule and these were coupled with African nationalist politics. Arguably, the onset of the trouble for Zimbabwe was the pressure applied on the State to escalate its efforts in addressing these legacies, deployment of an approach of rapidly ripping out the bandage from the wound instead of removing it slowly to control the consequent bleeding.

The former liberation movement inherited the shoes of the former colonisers and took on the characteristics of its predecessor. The ZANU-PF-led government went as far as to passing Acts that would ensure that its leadership remained unchallenged. These Acts include the Emergency Powers Act, Protection of Public Order and Security Act, and the Access to Information and Protection of Privacy Act (AIPPA). These sets of legislations helped the Zimbabwean government when it came to implementing their Fast-Track Land Reform Programme (FTLRP). Nyakudya (2013) asserts that ZANU-PF failed to dismantle colonial structures and build structures that suit democracy. Thus, they copied their former colonisers as they hid under the guise of constitutional democracy, thus slowly implementing the repressive legislation mentioned above.

The ‘iron fist’ rule of President Robert Mugabe, as the first liberation leader, was unsurprisingly met by a backlash from the denizens, trade unions and broad civil society coalitions. Such a backlash culminated in the creation of the Movement for

Democratic Change (MDC) that significantly challenged the way the country was ruled. What ensued afterwards was a tug of war for political power that led to a crisis that led SADC to intervene as the elections were being marred by violence and intimidation. The trouble the country faced was compounded by the crumbling economy; the policies that underpinned the land redistribution process crippled the agriculture sector and the entire economy because of the land grabs and of course, the ensuing sanctions imposed by Western countries. These events have been analysed as follows:

“The period 1998-2008 has been described as a lost decade. It commenced with a violent land reform programme ostensibly designed to wrest prime farming land from white occupiers and bestow it upon dispossessed black majority which culminated in an economic crisis and the collapse of the Zimbabwe dollar. The last inflation figure for July 2008 pegged at 231 million percent and a phenomenal drop in output of over 40 per cent over the previous ten years” (Nhavira 2013:50).

Nhavira (2013) summarises what happened in the decade in question, it also should be added that political turmoil and violence ensued as a result of the actions by the government. Anstey (2007) adds that in 2005, Zimbabwe’s purchasing power had fallen to the 1953 levels and the size of the population living in poverty increased from 35% in 1996 to 80% in 2003. In just six years, between 2000 and 2006, the economy had shrunk by 50%, which made the country to move from being a food exporter to being a food aid seeker. The idea behind land redistribution in the post-colonial state is that the bulk of the land belonging to the former coloniser be given back to the rightful historical owners, thus also empowering the historically disadvantaged with agricultural land. In Zimbabwe’s case it was a good gesture; however, the execution was not as good as the idea and spirit behind it.

Mckenzie and Swails (2016) recalled how they drove past large commercial farms which were forcefully taken from the foreign corporations and White farmers and given to Mugabe and ZANU-PF loyalists under the guise of the FTLRP. The FTLRP could be a result of and response to the past laws, namely the Land Apportionment Act (1930) and the Land Tenure Act (1969); together, these Acts redistributed agricultural land to the Whites. Notably, “One immediate effect of these colonial constitutional land laws was that by 1960 more than 25000 black families had been reduced too squatters. By 1976 a total of 4.5 million native blacks had been forced to

crowd in the infertile, drought prone Tribal Trust Lands” (Chigara 2012:350). The ‘land grabs’, of course, were the main instigators of the economic spiralling out of control and the weakening of a once strong agricultural sector. This was undoubtedly not helped by the political turmoil that was occurring in the aftermath of these land grabs. The land grabs had apparently grave implications at a regional level as they caused the suspension of the SADC Tribunal, which ceased functioning indefinitely. It is important to note that the action of land grabs could be argued to have been done to address colonial injustices however the execution was not carried out in a proper manner.

5.3 Dollarisation of Zimbabwe's economy

Post-independence Zimbabwe had one of the most promising economies in the SADC region. The factors that led to the collapse of the economy of Zimbabwe are tied to the country’s colonial past and the attempt by the current government to correct those ills through questionable policies. For example, “By Sub-Saharan African standards Zimbabwe at independence in 1980 inherited a relatively sophisticated and diversified economy, but it already suffered from a large fiscal deficit, low economic performance, high unemployment, price controls, and a lack of foreign currency” (Tibaijuka 2005:16). Owing to the political turmoil and economic meltdown that ensued after the Zimbabwean government embarked on its radical land redistribution campaign, attempts were made to stabilise the economy through a new policy direction.

The leadership of the newly formed Global Political Agreement (GPA) decided to dollarize its economy in 2009 to stop the hyperinflation characterising its own currency and the effects it was having on the local economy. Quispe-Agnoli and Whisler (2006) define dollarization as the process of adopting a foreign currency as a country’s official legal tender. “This occurs when the country’s domestic currency has significantly lost value such that the currency loses its main functions of a medium of exchange, a store of value and a unit of account” (Tichaona & Fanuel 2010:2). This means that the domestic currency ceases to be used for trade transactions as the foreign currency takes on the functions of the former domestic currency (Mdhunguyo & Nhavira 2015). Dollarisation exists in three different forms; currency substitution,

semi-official dollarisation, and full dollarisation that Zimbabwe adopted (Kavila & Le Roux 2016). Zimbabwe adopted the multicurrency system where the United States Dollar was the main legal tender along with other supporting currencies such as the South African Rand. It is important to question Zimbabwe's choice of the United States Dollar disregarding the South African Rand as its main currency, considering the fact that the country has been under sanctions imposed by the United States since the turn of the millennium. The reasons proffered by the authors are that the United States Dollar is the currency that is mostly used in international trade and that it is an international reserve currency. Zimbabwe's reasoning involved a cost-benefit analysis on the convergence between South African inflation rates and the world's inflation rates.

Dollarization and stopping the Zimbabwean economy from spiralling further down was important for the SADC region as a whole as it helped stop the free fall of SADC's once strong and promising economy. Kavila and Le Roux (2016) point out that Zimbabwe became an impediment to SADC's hopes of a macro-economic convergence because of the uncontrollable inflation it had in the period between 2000 and 2008. The authors also point out that the decision to dollarize the economy was taken by the Government of National Unity (GNU) that SADC brokered through a South African-led mediation process. Another important step was the application of the Short-Term Emergency Recovery Programme (STERP) that was adopted and applied immediately after dollarisation. STERP lasted for nine months and managed to provide the first steps in the right direction, decreased inflation, and stimulated growth in the country's GDP.

The rationale for Zimbabwe's decision to adopt full dollarisation "was to stabilise the economy by reducing inflation through elimination of exchange rate instability and unsustainable government spending policies" (Makovo 2012:52). In as much as this helped in achieving the stability that the country craved for, one drawback was, as Nhavira (2013) and Kavila and Le Roux (2016) note, that by undergoing dollarization Zimbabwe's Reserve Bank forfeited its power as the lender of last resort and the country lost its autonomy in monetary policy and in the exchange rate. "Since dollarization in 2009 the economy registered positive and increasing growth rate that are set to reach a forecast of 9.4% in 2012. This is in contrast to the negative growth

rate of 14.8% that was witnessed in 2008 (before dollarisation)” (Makova 2012: 69). Arguably, dollarization had achieved its goal, which was to stabilize the economy and provide some form of growth. Makova (2012) acknowledges the increase in Zimbabwe’s performance in trade as the country’s exports grew by 30.2% between 2010 and 2011 and the imports grow by 23.3% in the same period. The sectors involved in the increase were the manufacturing sector, mining sector, and the agricultural sector, which all saw positive growth after the dollarization of the economy. However, Makova (2012) notes that in the time period between 2005 and 2010, there has been a shift regarding who mostly received Zimbabwe’s exports. In 2005, the top five exporting destinations for Zimbabwe were SADC Member States, with South Africa at the top absorbing almost three times more exports than Zambia, which occupied the second position. In 2010 the situation had changed, as the top five countries that absorbed Zimbabwe’s exports were South Africa followed by China, the United Kingdom (UK) in third and followed by two SADC member countries namely Mozambique in fourth and Zambia in fifth.

To supplement this analysis, Mdhunguyo and Nhavira (2015) looked at the effects that dollarization had on Zimbabwe’s macroeconomic variables. They concluded that dollarization had the following effects on the macroeconomic variables;

- Average inflation: In terms of the statistics the decline in the average inflation after dollarization was not significant enough to be credited to the dollarization.
- Inflation volatility: The same as above applied here, they found that the statistical change did not warrant for it to be credited to dollarization.
- Average Interest rate: They found that the change at 10% was good enough to be credited to dollarization.
- Interest rate volatility: Through the use of the Lavene test, they found that the 0.5% decrease in volatility was also enough to be blamed on dollarization.
- Average GDP growth rate: They also found that at 0.5%, the increase of the GDP could also be attributed to the effect of dollarization.
- GDP growth rate volatility: Here, however, they found that the decrease in the volatility of the GDP could not be statistically credited to dollarization.

Kavila and Le Roux (2016) also found that dollarization provided for a positive growth in the GDP. For example, “Real gross domestic product from 5.4 per cent in 2009 to 9.6 per cent in 2010, 10.3 per cent in 2011 and 4.4 per cent in 2012” (Kavila & Le

Roux 2016:96). Apparently, dollarization had shown a positive effect on Zimbabwe's economy and interest rates and it also played a critical role in lowering the country's inflation rate. Makova (2012) and Mdhunguyo and Nhavira (2015) come to roughly the same conclusion that dollarization has had somewhat a positive effect on the Zimbabwean economy, though with certain expected shortfalls. The big question, as mentioned earlier, is Zimbabwe's choice of dollarization in contravention of the SADC region's plans to form a customs union and adopt a unified currency. So, Zimbabwe's decision to fully adopt the United States Dollar at the expense of the South African Rand begs questions about the country's commitment to the regional project.

It is important to note that dollarization did not mean an end to all of Zimbabwe's economic problems. For instance, Kavila and Le Roux (2016) mention that Zimbabwe's balance of payments was the same at 24.4% in 2008 and 2012 which is the period within which dollarization was undertaken. The country also grappled with low foreign exchange reserves that affected its ability to service its debt and meet import payments. Dollarization also had no effect on the country's debt because by the end of 2012, the debt was recorded at a ratio of 85% to the GDP, which fell worryingly off the international standard of 50%. By the end of the same year, the country's total external payment arrears had risen by a 793.6% but this percentage compares the period from 2000 to 2012. Nevertheless, the huge amounts that Zimbabwe owes in arrears cripple their borrowing power, which did not help the country's battle with liquidity.

The question of how to go about de-dollarizing the economy, which means re-introducing the local currency, involves two options, a hands-on approach, also known as the administrative approach, and a hands-off approach or market-based approach. The hands-on approach involves forcing the local currency back into the economy through the use of regulations that must create credibility for the local currency. The second way, which is the hands-off approach, is the market-based approach which requires good macroeconomic performance for it to be successful. However, in 2016 Zimbabwe took a decision to introduce 'bond notes' that would trade at 1 RTGS Dollar = US\$1. Withnall (2016) argues that this was in response to the country's experience of severe currency shortages. Such shortage was fundamentally caused by the dwindling economy and exports due to harsh sanctions,

causing a strain on the country's hard currency revenue; this was exacerbated by people stashing away the United States Dollars outside the country (Withnall 2016). This left the country cash-strapped, with public servants being paid their salaries late, which has been the trend for many years in Zimbabwe. This has instigated the recent protests and strikes that have engulfed the country. The introduction of the 'bond notes' was not warmly received as most Zimbabweans still feared that the quasi-Zimbabwean Dollar would suffer the same fate as the actual Zimbabwean Dollar.

Withnall (2016) and Burke (2016) both reported on the unrests that ensued before and after the 'bond notes' were introduced in Zimbabwe; both also reported the abuse and arrests of opposition members and political activists. Bloomberg (cited in the Star 2016) reported that dollarisation helped end hyperinflation, but at a later stage the strength of the United States Dollar was hurting local industries as exporting goods became more expensive than importing them. This gives rise to the question raised earlier on regarding Zimbabwe's decision to take up the United States Dollar instead of the South African Rand while the formation of the customs union is imminent. This also leads to the question of what Zimbabwe needs to do if it has hopes of de-dollarizing. For example, "The economy should put more emphasis on meeting SADC macroeconomic benchmarks such as on GDP growth, inflation, Balance of Payments, capacity utilisation, foreign currency reserves, tax reforms and investment ratios, among others, before making any attempt to de-dollarize the economy" (Tichaona & Fanuel 2010:13). This threw into doubt that Zimbabwe was going to be able to de-dollarize anytime soon and this is evident with the fact that the de-dollarization in question only occurred in 2019.

5.4 Zimbabwean crisis and SADC's mediation

SADC's Protocol on Politics, Defence and Security was created on the 28th of June 1996; however, it was a crippled organ since it had no legal framework; neither did it have direction nor clear objectives. This then saw SADC passing the Protocol on Politics, Defence and Security Co-operation on the 14th of August 2001 and this had clear objectives and a legal framework. This new protocol has clear objectives and institutional structures that support the application and enforcement of its objectives. Article 2, which encapsulates the objectives of the Protocol, on 2(a) says the

objectives of the Protocol 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...” (SADC Protocol on Politics, Defence and Security 2001:3). This specific objective has been picked up because it is relevant to the case of Zimbabwe. SADC also went on to establish the Mutual Defence Pact, which was signed at a summit held in Tanzania in August 2003, of which 12 of the 14 member states signed it.

According to Article 2 of the Mutual Defence Pact, the objective of the pact is to create a mechanism that enables SADC to help stimulate cooperation in issues of defence and security. The pact was a move in the right direction, because for development and integration to occur within the region, there needs to be stability between the states. However, the pact only deals with inter-state conflicts and does not cover intra-state conflicts and fortunately, the region is not on record for having inter-state conflicts; rather, states experience spill over effects resulting from the intra-state conflicts that are plaguing their neighbour.

One such crisis that required intervention driven by the Protocol is the Zimbabwean crisis. The Zimbabwean crisis has been a complex one, having spilled over from toxic political contestations to economic meltdown and most worryingly, human rights abuses and famine. For example, “We would be better off with only six million people, with our own people who support the liberation struggle. We don’t want all those extra people” (Mutasa, cited in Howard-Hassmann 2010:908). This is a disturbing statement, considering that it was made by the Minister of National Security and Head of Secret Police at the time. The height of the Zimbabwean crisis revolved around the land redistribution which involved taking land from White farmers and returning it to Black Zimbabweans. These grave occurrences were heavily politicised. Ironically, in 2001 the Zimbabwean government had signed the Abuja Agreement (Chikwanha 2009). Signing the Abuja Agreement meant that the Zimbabwean government was pledging ‘to protect and promote the fundamental political values of the Commonwealth as elaborated in the Harare Declaration’. This was not the case as the situation got much worse for the country after the signing of this agreement.

This situation was exacerbated by the 2008 elections that took place, the way they took place and their outcome. Howard-Hassmann (2010) reported that the 2008 elections were marked by violence and intimidation by the ZANU-PF aligned entities against opposition MDC supporters. The results of those elections saw the MDC win the elections by taking 47% of the votes and ZANU-PF take 43% (McGreal 2008). This was not a straight-out majority, which unfortunately, meant that a run-off election was inevitable to determine the winner. It is crucial to note that MDC leader, Morgan Tsvangirai, refused to participate in the run-off elections because of the violence and intimidation that took place during the run-up to the elections. This meant that President Robert Mugabe would retain power with MDC leader, Tsvangirai, taking temporary refuge at a Dutch embassy in Harare as pressure from the international community and South Africa's mediation forced incumbent President Robert Mugabe to agree to a power-sharing deal with the MDC.

Political turmoil had negative effects on the country as the different parties or factions got involved in the fight; hence, the country's economy and most importantly, the generality of the population suffered. For instance, the agriculture sector suffered owing to the turmoil that adversely affected crop production leading to a knock-on effect that ultimately spurred the hyperinflation that Zimbabwe had ever experienced. "Zimbabwe had produced over 2 million tons of maize in 2000, before the land invasions took effect, but in 2008 was reported to have produced only 450000 tons" (Howard-Hassmann 2010:899). This dramatic decrease in maize production not only landed a big blow on Zimbabwe, but Eastern Africa as well which was the consumer of the crop. Howard-Hassmann (2010) asserts that the decrease in crop production because of land invasion also left 200 000 farm workers unemployed and close to 2 million people who constituted the families of farm workers and had become residents on the farms, and were displaced by the land invasion.

One of the most disturbing issues with the Zimbabwean crisis is perhaps the suggested 'State-induced famine'. By the late 2003, half of the population in Zimbabwe was said to be already 'food insecure'. In light of this menacing food insecurity, President Mugabe is reported to have only distributed State grain to his political supporters and denied access to those he feared would oppose him at the polls. President Robert Mugabe is said to have also denied international agencies

access to the country to feed the starving people; this is one of the main reasons most scholars saw it as 'State-induced famine'.

Operation Murambatsvina of 2005 did not help the situation as it further displaced 700 000 people. Tibaijuka, as part of a Special UN Envoy, concluded that "Most of the victims were already among the most economically disadvantaged groups in society, and they have now been pushed deeper into poverty and have become even more vulnerable. The scale of suffering is immense, particularly among widows, single mothers, children, orphans, the elderly and the disabled persons" (Tibaijuka 2005:45). This of course occurred on the backdrop of the socio-economic challenges that the country was facing during that period, which further exacerbated the situation. For example, one critic said, "However commendable Mugabe's desire to return the land to its indigenous people, his tactics and timing have been ruinous" (Anstey 2007:418). Zimbabwe's colonial history is underpinned by the fact that land was obtained from the indigenous people by the colonisers in a forceful and illegal way. Consequent to these occurrences, Zimbabwe's economy fell, hyperinflation ensued, unemployment rate soared to approximately 80% by 2005 and the 2007 real Growth Domestic Product (GDP) growth rate was estimated at a rate of negative 6.1%. In 2008 the economy was even worse, and ordinary Zimbabweans were faced with a situation where prices doubled in 24 hours. However, the situation was helped when the economy was dollarized in 2009.

Perhaps one of the most disturbing things about the Zimbabwean crisis was the somewhat muted support for and leaning towards Mugabe that SADC displayed through the earlier stages of the crisis. Criticism reflects that "African rulers who, as history has repeatedly demonstrated, group together for mutual support and protection both against external threats and, regrettably, domestic opposition to their rule" (Söderbaum & Taylor 2008:31). South Africa's President at the time who later became SADC's mediator, President Thabo Mbeki, was protecting President Mugabe from being sanctioned by the AU. For example, "Nobody in Zimbabwe is likely to act in a way that will prevent free and fair elections being held" (Mbeki in Howard-Hassmann 2010:910). This statement, which was made prior to the 2005 elections, proved the unwillingness by fellow presidents to keep Mugabe in check. Tanzanian President at the time, President Benjamin Mkapa, was questioned for

supporting Mugabe's Operation Murambatsvina because he was going against the good governance and rule of law that he stood for. The justification of the support was linked to the idea that Zimbabwe had to continue with the full decolonisation process. This shows the empathetic position fellow SADC statesmen took on the Zimbabwean issue; for them, this was all part of the 'harsh' decolonisation process. More alarming is the fact that he maintained the same view in 2008 during the highly contested elections and the violence that ensued.

With regard to the Zimbabwean crisis, SADC opted to appoint a mediator to mediate on its behalf and South Africa's hegemonic status in the region made its appointment to be this mediator a fait accompli. The mediators were namely President Thabo Mbeki, who was succeeded by President Kgalema Motlante and since 2009 it has been Jacob Zuma that has been tasked with this responsibility. President Motlante's term of office was very short, as it was a result of President Thabo Mbeki being forced to step down; so, President Mbeki and President Zuma's individual mediation approaches and actions are the foci of this study. President Mbeki was seen as having taken the 'quiet diplomacy' route when executing his mediation role between ZANU-PF and the main opposition MDC in Zimbabwe. Ekeus (2003) proffers one of the possible reasons for President Mbeki's adoption of this type of mediation, thus:

"The rationale of the non-confrontational, non-judgemental methods and less public forms of communication associated with quiet diplomacy is to minimize risks of sensationalism and alienation of parties involved. The process is intended to offer opportunities for dialogue between parties, confidential advice, problem-solving out of the public eye, and to build confidence between parties that dialogue may bear fruits for all" (Ekeus, cited in Anstey 2007:434)

This type of mediation is always and will always be up for debate, especially if it does not produce an end to the conflict. This choice of mediation by South Africa could also be influenced by a number of other reasons. The first one is that President Mugabe played a crucial part in South Africa's liberation and the end of apartheid rule. The second reason is that the new South African government took over from an authoritarian government that strengthened South Africa's position within the region. This meant that the post-colonial ruling party inherited a country that unfortunately made it more powerful than its counterparts, so the current South African government does not want to project itself as a hegemony that controls everything within the

region. Thirdly, Mugabe's charismatic character made his fellow statesmen to seem to always toe the line when dealing with him.

President Mbeki's approach was arguably influenced by the fact that Zimbabwe was a crucial cog in South Africa's liberation struggle; hence, South African leaders may feel indebted to the leader and always desist from action that seemed to oust the aging leader. Anstey (2007) goes on to argue that the Zimbabwean conflict was a tricky one to mediators because President Mbeki was not only expected to be neutral, but he was also working with a government that was repressing its opposition on the one hand and the opposition which was using its repression as a tool for getting international support on the other hand. Perhaps one of the most complex problems for the mediator was the fact that Zimbabwe's Army was deeply entrenched in the State's politics. This was even evident in the run-up to the 2008 run-off elections where the Zimbabwe National Army's Chief of Staff, Major General Martin Chedondo, was quoted as saying: -

“Soldiers are not apolitical. Only mercenaries are apolitical. We have signed and agreed to fight and protect the ruling party's principles of defending the revolution. If you have other thoughts, then you should remove that uniform. The willingness to serve the country should be there and should burn forever so that the country does not slip away” (Chedondo, cited in Mail & Guardian 2008).

This state of affairs is highly worrying as it means that if the mediation resulted in President Mugabe being ousted or losing the democratic elections, the Army would take up arms for him, thus leading the country into further ruin. SADC's attempt at intervention had to take this reality into consideration because with the military backing that Mugabe had, an outcome that did not favour him could prove disastrous for the country as it could have resulted in a *coup d'état*.

According to Nyakudya (2013), during an Extraordinary Summit called by the concerned SADC, President Mbeki made the mediation process questionable as he continued to claim that there was no crisis in Zimbabwe. The claims made by President Mbeki as SADC's mediator meant that SADC could not formally take proper actions against Mugabe, which did not help the situation in the ailing country. This scenario, coupled with the evident eagerness for leaders and states to retain sovereignty over their affairs, made it even harder to intervene when a member state

was in crisis. The tendency by member states to avoid going against a fellow member, Zimbabwe under Mugabe in this case is further demonstrated by SADC's earlier response to Zimbabwe's brewing crisis. SADC had initially established a taskforce in the form of the SADC Troika, which comprised Botswana, Mozambique and South Africa. This taskforce was instituted in response to the brewing situation and was supposed to engage the Zimbabwean government along with the interested stakeholders in resolving the socio-political and economic problems that the country was experiencing at the time. The taskforce's failure to do this then led to the escalation of the crisis.

The question whether or not SADC has any real power to deal with this crisis also came into the equation. Ahead of Zimbabwe's presidential elections of 2002, Botswana's then President, Festus Mogae, was quoted as saying "He (Mugabe) is an honourable man and we took his word for it. There is not much we can do...If he reneges we will tell him we are not happy. But then he may tell us to go to hell," (Mogae, cited in Mail & Guardian 2002). He went on to stress that they could not tell Mugabe what to do because Zimbabwe is a sovereign State. This brings into question whether or not fellow SADC members felt empowered enough to act through SADC in terms of holding one of their own accountable. This brings into question whether SADC institutions are equipped to discipline a fellow member state or its leadership. Compounding this issue is the incident touched on earlier where the SADC Chairperson at the time, President Mwanawasa, reportedly said that he did not know the progress of the mediation between Mbeki and the Zimbabwean parties involved and more worryingly, he could not contact them on the phone. This raises questions over the reliability of the SADC mediation structure because it is disturbing to learn that in times of crises statesmen hardly converse with each other. In this case, it is more shocking to learn that the then SADC Chairperson had no clue regarding the progress of the mediation effort that was being undertaken by SADC through South Africa.

Pienaar (2007) recalls the 2007 SADC Summit which occurred at the height of the Zimbabwean crisis and how President Mugabe entered the venue to a round of applause despite the deepening crisis in his country. This type of reception just showed how SADC profoundly sympathised with Mugabe and not with the opposition

MDC. Then Deputy President Jacob Zuma, in a Spiegel interview, had this to say about Africa's admiration for Mugabe:

“Europeans often ignore the fact that Mugabe is very popular among Africans. In their eyes, he has given blacks their country back after centuries of colonialism. The people love him, so how can we condemn him? Many in Africa believe that there is a racist aspect to European and American criticism of Mugabe. Millions of blacks died in Angola, the Republic of Congo and Rwanda. A few whites lost their lives in Zimbabwe, unfortunately, and already the West is bent out of shape” (Der Spiegel, cited in Pienaar 2007).

The fact that the AU and SADC seemed to be muted and leaning towards being supportive of Mugabe despite what was happening in Zimbabwe at the time should not come as a major surprise. To be fair, these mixed messages on the Zimbabwean crisis at the time did not only come from SADC but from the UN as well (Anstey 2007). In 2007, Mugabe announced that the UN had appointed him the Chairperson of the UN Commission for Sustainable Development and COMESA had also appointed him the Vice Chairperson for the 2007-2008 period. The UN's election of Mugabe was commendable in that it provided an opportunity for a periphery state to set the agenda for sustainable development; however, this 'business as usual' tendency on the backdrop of the deepening Zimbabwean crisis is troubling. Electing President Mugabe to such roles at the UN and COMESA when his country was on the brink of total collapse was troublesome, as it displayed a sense of approval for the Zimbabwean leader.

During a meeting held in April 2007 in Tanzania, the SADC leaders did not confront President Mugabe on the ensuing domestic crisis in Zimbabwe; however, they stood behind him and ironically claimed that they were in solidarity with the people of Zimbabwe and the Government (Howard-Hassmann 2010). Only in 2008 did some SADC leaders start to change their tune, with then AU President John Kufuor referring to the state induced violence that was happening in Zimbabwe as “very embarrassing”, with the then Kenyan Prime Minister Raila Odinga also sharing the very same sentiments. Howard-Hassmann (2010) tells of how Jimmy Carter, Kofi Annan and Graça Machel described the period from 2000 to 2009 in Zimbabwe was seen as a humanitarian crisis that was not sufficiently reported. This necessitates the need to interrogate SADC's response to the crisis during its early stages and the region's support for President Mugabe. Rupiya in the Sunday Independent (2008)

noted that one of the turning points was when arms destined for Zimbabwe arrived at the Durban Port; the action was met with a huge civil society outcry out of fears that those arms would be used against ordinary citizens.

The late Zambian President, Levy Mwanawasa who was SADC Chairperson at the time spoke against the arms and used his position to rally other countries to refuse handling the arms out of fear that they would worsen the situation. The hesitation by SADC and other African leaders to act against President Mugabe could be brought on by the way in which the other leaders viewed him. He was instrumental in South Africa's liberation struggle as well as the fight against colonialism, neo-colonialism and post-modern imperialism. In his speech right after the highly contested 2008 elections, President Mugabe referred to the British as "thieving neo-colonialists" (The Guardian 2008). He was Africa's most vocal African leader regarding Western influence on Africa and he remained defiant as he vowed that he would not yield to such influence. The fact that he could stand up to the Western superpowers was profoundly admired by other leaders that were against neo-colonialism but could not be as vocal out of fear of the consequences.

In the wake of "Operation Murambatsvina", a UN fact finding mission had a few recommendations for the way forward in Zimbabwe. Tibaijuka (2005) recommended that the UN, along with SADC, should ensure that the Zimbabwean Government facilitated internal dialogue with the relevant stakeholders in Zimbabwe and the international community. In the case of Zimbabwe, these would be the main proponents of the political turmoil since the issues at hand seemed to be political (Nyakudya 2013). The signing of the Global Political Agreement in 2008 paved way for the creation of an Inclusive Government, which is usually referred to as the Government of National Unity (GNU). The GNU was in charge of the country from February 2009 up until the 2013 harmonised elections. This event coincided with President Jacob Zuma's election as the President of South African, which made him assume the mediation role from his predecessor (Nyakudya 2013). Zuma's mediation started off with the questioning his predecessor's work particularly regarding the 2008 elections which he even went as far as using the word 'suspicious' to describe the delay in the announcement of the results. This was followed by a report to SADC that did not favour or shield President Robert Mugabe's Government from its

wrongdoings. Despite his strong start, Zuma's mediation slowly started to resemble that of his predecessor by not yielding results.

Nyakudya (2013) points out that the term of the GNU in Zimbabwe was marked by many challenges, including the fact that the parties involved failed to reach a consensus on the electoral reforms that ought to be expedited. It is important to note that SADC facilitated this agreement; thus, its successes and failures would be reflective of SADC's role in helping to resolve the Zimbabwean crisis. The Mbeki mediation did yield some positive results that saw the three parties involved coming together and agreeing on the needed reforms. The major key area within these reforms being the constitutional reform which the GPA set out to help in that regard by having "Article VI of the agreement set out the 'fundamental right and duty of the Zimbabwean people to make a constitution for themselves', also stipulating that the process would be carried out by a Select Committee of Parliament composed of parties to the GPA" (Raftopoulos 2013:972). This was all done to reform a constitution that was structured by the leading ZANU-PF party in such a way that power was concentrated with the President and where power always favoured the State over the opposition.

5.5 Other mediation efforts comparable to Zimbabwe

One cannot help but question the way SADC has dealt with the Zimbabwean crisis, which contrasts sharply with the way the regional body dealt with the Madagascan crisis between 2008 and 2009. After Madagascan President Ravalomanana had been forced off the presidency and Rajoelina took power with the help of the military, "The day after the unconstitutional change of government on 17 March, Zambia called for Madagascar's suspension from the bloc, while the OPDSC met on 19 March and took a position of refusing to recognise Rajoelina, indicating that it would consider imposing sanctions if the constitutional order was not restored" (Cawthra 2010:19). This shows a very hard hand by SADC in dealing with the crisis, and later that month at an extraordinary summit, Madagascar was formally suspended from SADC pending its return to democracy. Cawthra (2010) adds that at that summit, the idea of imposing sanctions against Madagascar was raised and controversially, King Mswati went as far as suggesting a military intervention in the crisis.

SADC's handling of the Madagascan crisis contrasts sharply with that of the Zimbabwean crisis. Cawthra (2010:19) points out that except for South Africa, most SADC member states had little or no interest in Madagascar. Another point he raises is that SADC is essentially the presidents' club since all decisions are made at a Summit, which comprises presidents and they would not like to see their colleague being ousted unconstitutionally. This explains the contrast between the two interventions, remembering that Zimbabwe's crisis featured human rights abuse, while the Madagascan intervention was brought on by the unconstitutional change of power. Military intervention is always questionable as it may result in more loss of life for the population, so its justification is always hard. Howard-Hassmann (2010) shows the effectiveness of a military intervention by looking back at the case of Uganda and Tanzania. After Ugandan forces invaded Tanzania under the rule and leadership of the dictator Idi Amin, the Tanzanians retaliated by invading Uganda and overthrowing Idi Amin who had been responsible for about 500 000 deaths in his country. This shows the effectiveness of the military in similar situations; however, it is important to note that the Zimbabwean crisis is different from the Ugandan and Tanzanian situations since it was between two states and the overthrowing of Idi Amin was a result of retaliation.

Zimbabwe and Madagascar are not the only states that have had recent internal conflicts that required intervention from SADC (Vhumbunu 2015). Lesotho has had its fair share of internal political conflicts which occurred in 1974; 1986; 1991; 1998; 2007; and more recently in 2014. Just like the case of Zimbabwe, SADC opted to mandate South Africa and Botswana to mediate on behalf of the organ and as neighbours of the State. On the 30th of August 2014, there were reports of an attempted *coup d'état* that resulted in Lesotho's Prime Minister Thomas Motsoahae Thabane fleeing to South Africa. With regards to this recent occurrence, Seekoei (2014) reported that South African Deputy President Cyril Ramaphosa was appointed by SADC's double troika to mediate in Lesotho on SADC's behalf. SADC's mediation needs to be commended on its response and the short time it took to convene a double Troika to acknowledge and address the crisis. However, the reported *coup d'état* took place on the 30th of August 2014 and the Double Troika was convened on the 15th of September 2014, two weeks after the *coup d'état* had occurred. Admittedly, this response time was shorter than they usually responded; however, in

a case like Lesotho where the sitting Prime Minister had to take refuge in a foreign country, two weeks was a long time for this type of conflict. This brings into question SADC's structure and its heavy dependence on Heads of State even at times of crisis. Institutional empowerment is greatly needed; thus, the OPDSC should be empowered to be first responder in such situations.

5.5.1 The Global Political Agreement (GPA)

The GPA, which was signed in 2008 had the potential to yield positive results because in July 2012 the Parliamentary Committee comprising GPA parties presented a Draft Constitution of which all parties GPA parties involved were signatories. This was victory for the SADC's GPA; however, in August 2012 President Mugabe presented a redrafted version of the Constitution, which he deemed not negotiable and trumped the previous version as it represented the "views of the people". A closer look at the Constitution shows that it resembled the outgoing constitution as it "proposed a return to the kind of executive powers and party-state rule that ZANU-PF had crafted since 1980" (Raftopoulos 2013:973). Even though further consultations occurred and resulted in the disagreements being resolved through the party leaders and by Presidential Proclamation, SADC's intervention in this case succeeded in helping to broker a new Constitution but failed to hold the ZANU-PF to the GPA.

The above conclusion is drawn from the fact that the resultant Draft Constitution still had a lot of power vested in the President. However, the newly reformed Constitution also came with many welcomed changes. The Draft Constitution also "put in place important changes such as presidential term limits, more accountability of the security and judicial services, a more independent national prosecuting authority, limited devolution of power, and a stronger citizenship rights" (Raftopoulos 2013:973). Indeed, in terms of the limited number of terms, the new constitution did only allow for a President to serve only for two terms; however, because this was a new constitution, Mugabe's previous years in power were not factored in.

This draft constitution was victory for the GPA as it had been able to bring about constitutional reforms; however, this was short-lived (Nyakudya 2013). President

Robert Mugabe flouted the GPA when he set an election date by Presidential decree, which was a clear violation of the GPA and all this was in view of the SADC mediator. President Robert Mugabe did this in contrast to what the GPA and SADC had hoped for; the plan was to implement all the necessary reforms before the next election and that the date for the general elections would be set through consultation and consensus within the GPA. However, this was not the case as the Constitutional Court established by the new Constitution ruled that the elections should continue as the President had announced. South Africa's disapproval of President Robert Mugabe's unilateral actions did not go unnoticed and were included in the report presented by then President Jacob Zuma. Unfortunately, the SADC body upheld the idea of sovereignty and respected the newly formed judiciary's decision, with the African Union also endorsing the decision.

Lindiwe Zulu who was the International Relations advisor to the South African President at the time, had been very vocal on the Zimbabwean crisis did not agree with the decisions that were being taken with regards to Zimbabwe. As part of South Africa's mediation team and Advisor to the South African President, Lindiwe Zulu continued to suggest that the proposed date for elections was too soon as the country was not fully prepared for the elections. Her utterances earned her a war of words from ZANU-PF, more specifically from President Robert Mugabe who said, "An ordinary woman says, 'no you can't have elections on July 31.' Really, did such a person think we, as a country, would take heed for this street woman's utterances?" (Mugabe, cited in Solidarity Peace Trust 2013:13). Even though an apology was later extended for this war of words, it just shows how the Zimbabwean government, specifically Mugabe, got agitated when he was challenged.

The 2013 elections that followed were endorsed by SADC which described them as "free, peaceful; and generally credible" and a big step from the 2008 elections that were marred by violence and intimidation. Raftopoulos (2013) adds that SADC had to settle for minimal electoral reforms and a new constitution which fell short of what the GPA had originally intended to fulfil because ZANU-PF exhibited a lack of eagerness to fully implement the GPA prior to the elections. The fact that the 2013 elections were not as marred by violence as the 2008 elections also proved to be somewhat of a victory for the regional body and its mediation efforts.

Critics blasted SADC for not being swift when it came to the full implementation of the GPA in Zimbabwe. One such critic was Bishop Paul Verryn who was one of the activists behind the Save Zimbabwe Now Campaign. “This just shows SADC is condoning the violence in Zimbabwe” (Verryn, cited in Bathembu 2009). It is also important to note that other movements also sprung up in response to the deepening crisis in Zimbabwe and some already existing movements were also vocal on the crisis. These included Crisis in Zimbabwe Coalition, People’s United Democratic Movement, Zimbabwe Solidarity Forum, Zimbabwe Exiles, Revolutionary Youth of Zimbabwe, Treatment Action Campaign, and Zimbabwe Congress of Trade Unions. These organizations had also organised an anti-Mugabe march back in 2008 in protest against the SADC’s summit decision to invite Mugabe to the Summit after the run-off elections which were seen by SADC observers as unfair and not free. Referring to President Robert Mugabe and King Mswati III, the Congress of South African Trade Unions (COSATU) along with the above-mentioned organizations declared that “they cannot claim any legitimacy to rule, for they have not been democratically elected...Therefore as representatives of civil society, we take it upon ourselves to expose them and their unacceptable behaviour before the eyes of the world” (COSATU, cited in IOL 2008). This shows the frustration that civil society had against SADC, which was viewed as dragging its feet in dealing with Mugabe and the Zimbabwe crisis.

Mhango (2011) and Nyakudya (2013) see the lack of a set mediation frameworks as attributable to the downfall of SADC’s mediation attempts and also one of the reasons for the prolonged conflict in Zimbabwe. This is compounded by the very heterogeneous nature of the region which has prohibited the region from viewing threats in the same way. SADC has laid a broad institutional framework of resolving disputes, but this does not cover mediation and how to go about executing it. In as much as the GPA is viewed as a move in the right direction, it failed to satisfy the key outcomes of mediation which are to provide reconciliation and reconstruction within the parties involved. This points to it as a temporary solution to a permanent problem, which means the issues that brought the conflict in the same instance could arise once more as seen in the 2016 youth protests. One of the biggest challenges for the mediation in Zimbabwe is the issue of securocracy. With the Zimbabwe National Army being heavily entrenched in civilian politics and suggesting that any results that

do not favour them would not be accepted. This is a problem because as SADC mediates, it is consistently nagged by the eventuality of the army staging a *coup d'état* against the new Government and its leadership.

5.5.2 Zimbabwe beyond the crisis

After the end of the GPA, which was marked by the 2013 democratic elections, Zimbabwe was under the microscope to see if the GPA had worked and if the main issues behind the conflict had been resolved to ensure free and fair elections. As mentioned earlier, the decision to hold the 2013 elections was problematic since Mugabe by-passed the GPA and unilaterally made the decision to hold elections, arguing that the Constitution mandates him to do so (Nyakudya 2013). All this occurred on the backdrop of opposition parties opposing this decision advancing the argument that the reforms that the GPA was supposed to undertake prior to the elections had not been made. The resultant elections saw a 61% Presidential vote victory for Mugabe, with ZANU-PF securing a two thirds majority the elections labelled as free and peaceful by SADC despite the opposition parties disputing that electoral outcome, with Tsvangirai going as far as calling the elections. Nevertheless, Zimbabwe seemed to have moved forward from the tough 2000-2013 period and in 2014 the government announced that major legislations would be on the way (Makonese 2014). The Zimbabwean government unveiled plans to begin a legislative process that would see more than 450 pieces of legislation being adapted to the new 2013 Constitution.

In 2016 new protests sprang up in Zimbabwe pushing Mugabe and his regime to address the challenges facing the country. At first the protests were brought on by unpaid civil servants that were aggrieved by not being paid their salaries. The second wave was brought on by the country's youth, under the "Mugabe Must Go" campaign. These protests were organised through social media and according to Dzirutwe (2016), they resemble the 2005 protests in terms of their violent nature and were the first protest since 2005. Agrippa Mutambara, who was part of the liberation struggle, became a high-ranking political figure under the ZANU-PF-led Government and also benefited from the land grabs by getting a farm; however, he has had a change of heart regarding the Zimbabwean crisis. The following was said, "We attained

independence, yes. We were able to exorcise the colonial demon. In its place we also created another demon. Until there is a change in the way that government is run in Zimbabwe, the revolution must continue” (Mutambara 2016, cited in McKenzie & Swails 2016). Understandably, his switch from being a Mugabe loyalist has indeed earned him enemies from the Mugabe loyalist who have attempted to invade his farm and labelled him a traitor. Mutambara is one of the many former war veterans and senior political figures that have voiced their dissatisfaction with the way ZANU-PF government runs the country and has even gone on to join the Zimbabwe People First Party.

5.5.3 Relations between President Robert Mugabe and Botswana

For the regional project to work and for its plans to be applied properly, there has to be coordination between the member states and more importantly the leaders of those states since they hold the final decision that represents their country. So, on that premise, it is important to look at the relationships between the leaders of the SADC Member States. As one of the leaders during the liberation war in the region and the most senior Head of State in the region, President Robert Mugabe at the time commanded a huge amount of respect from his fellow African leaders. Now, this can be seen as a major problem when it comes to the Zimbabwean crisis as Mugabe was somewhat treated as the region’s “father figure”; thus, his peers tended to be biased in his favour and rarely spoke against him. However, as mentioned earlier, some former leaders like President John Kufuor and Prime Minister Raila Odinga had spoken out disapproving of Mugabe’s leadership style. Former President of Botswana, Ian Khama, became one of those who had been critical of the leadership of President Robert Mugabe.

One instance of the strained relationship manifested in 2008 when President Ian Khama did not recognise President Mugabe as the President of Zimbabwe because of the bloody elections that resulted in his victory. Ahead of the 2009 SADC Summit, President Mugabe had fears that Botswana’s President would become the catalyst that would sow divisions within SADC thus instigating the regional body to fall out of favour with him. For example, the following was said, “Mugabe is concerned that Khama might become the catalyst for an explosive meeting and as a result he has

sought to defuse the looming crisis sending a team of envoys led by Emmerson Mnangagwa to Chobe to engage Botswana authorities” (Muleya & Benjamin 2009: 1). The views by the former Botswana President stem from a long history of the tensioned relationship between neighbours.

In 2013 after Zimbabwe’s elections in which President Mugabe emerged the winner, the Commonwealth nations decided to extend Zimbabwe’s suspension from the bloc. SADC Member States condemned this suspension except for Botswana that distanced itself from the statements by saying, “Botswana was not and is not a party to the statement issued by a number of SADC member states, dated 9/12/03 ‘On the Continuation of the Suspension of Zimbabwe from the Councils of the Commonwealth’,” (Ramsay, cited in Hoveka 2003). Evidently, the two neighbours had been embroiled in a tense relationship, perhaps owing to the two states’ different colonial experiences. President Mugabe was well famed for being a strong fighter against imperialism while Botswana has maintained a good relationship with the West, with then President Khama at the time being half British.

After the 2008 GPA in Zimbabwe, there was a slight shift in President Ian Khama’s view on Zimbabwe. Being the only leader in the SADC region to disagree with the sanctions that had been imposed on Zimbabwe by the West, President Khama made a call in 2010 to support the rest of SADC by calling for an end to the sanctions, “We strongly feel that the sanctions are a hindrance...as the political and economic situation is improving” (Khama 2010). This shift however, should not be seen as an outright support for the Zimbabwean President, but it was support to the ordinary Zimbabweans because even though the sanctions were directed at President Mugabe and his close circle, some were trade sanctions against companies that employed ordinary citizens. President Khama showed this concern in 2008 when he initiated a meeting with then SADC Chair President Kgalema Motlante to discuss why the GPA was not being properly implemented and how it was affecting ordinary citizens in Zimbabwe. President Khama was quoted as saying, “Our biggest concern is that the focus is moving away from the plight of the Zimbabwean people, who are suffering through starvation and disease” (Khama 2008). Khama’s concerns seemed to have been vested with the Zimbabwean people and that the power struggle between ZANU-PF and MDC was deterring them from tackling the important issue at

hand. However, his later 2016 calls for President Mugabe to step down can be seen as demonstrative of the concern that the aging leader was no longer fit to get Zimbabwe out of the ruin it was headed.

More recently, President Ian Khama renewed calls that his fellow statesman needs to step down as the President of Zimbabwe. He was quoted by Shaban as saying, “It is obvious that at his age and the state Zimbabwe is in, he’s not really able to provide the leadership that could get it out of its predicament” (Khama, cited in Cropley 2017). He then went on to talk about how the unrest in Zimbabwe was affecting the whole region as Zimbabweans flee to neighbouring countries, and he mentioned the fact that Botswana’s jails have a worryingly significant number of Zimbabweans held in them. President Khama ended with the statement, “My opinion has always been that 10years leading any kind of organization...is pretty much the maximum” (Khama, cited in Cropley 2017). This was in reference to the prolonged presidency that his counterpart had been enjoying over the years. He was further quoted as saying, “they have got plenty of people who have got good leadership qualities who could take over. It is obvious that at his age and the state Zimbabwe is in, he’s really not able to provide the leadership that could get it out of its predicament” (Khama, cited in Cropley 2017). This was a clear indication that President Khama believed that there were people who could lead the country better than his colleague and that at his age, President Mugabe was becoming too unfit to hold on to presidency.

The leaders of the two neighbouring states had a complex relationship indeed because while they were sometimes supportive of each other, they often censured each other. When Khama took over as Botswana’s President in 2008, his leadership style seemed to mimic that of President Mugabe that he later critiqued. When he enacted the Media Practitioners Law, it was seen as a blow to freedom of speech in Botswana and also the way in which he dealt with civil servants’ protests was also questioned. One can draw a few similarities between the leaders; however, the major contrast was that Khama was heavily against prolonged leadership which Mugabe was practising.

5.6 SADC at the institutional level

The importance of analysing SADC as an institution is important because the institutional structure can be useful in explaining the reasons behind the organization's successes and failures. When one considers the situations that may require quick responses from the organization the SADC Troika is the institution tasked with swift response. The SADC Troika has three members; this means it becomes easier for the organ to meet and provide quick leadership instead of undertaking the strenuous task of getting the SADC Summit together. The effectiveness of the SADC Troika was shown by the swift action and decision-making that it took by sending then South African Deputy President Ramaphosa to be a mediator during the attempted *coup d'état* in Lesotho. The importance of swift action during times of crisis cannot be over-emphasised because if a situation is left for too long, it can escalate and degenerate into an even more complex issue. The SADC Troika and the Double Troika that was used in the above example are evidence that SADC has an institution that seeks to address major problems with regards to regional integration organizations.

The biggest challenge for SADC is that the Summit holds absolute power and the other institutions lack the necessary empowerment to make binding decisions. The SADC Tribunal typifies this lack of power and autonomy by the organ to defend its ruling on Zimbabwe's land grabs. The SADC Tribunal could only refer judgement back to the Summit, resulting in its suspension as the judgement was against Zimbabwe. The most critical problem is the lack of enough institutional empowerment on the part of SADC's institutions and this has been compounded by the unwillingness by the SADC Summit to act against one of its member states. The Summit also has a problem in that its decisions are taken on consensus and the SADC Treaty does not provide clear guidance if consensus has not been reached.

The challenges faced by the region are mostly what SADC was formed to address, however in this pursuit a number of other challenges related with regional integration have sprung up. One of these challenges has to do with the regional integration project(s) that the member states are in. Perhaps one of the biggest challenges is the issue of neorealism because this makes the member states fall into the realm of

selective participation. This has become one of the main reasons as to why regional projects tend to fail to reach their targets in their specified timelines; in the case of SADC, the RISDP is evidence of this delay in reaching targets. This also brings in the issue of dual membership; states are always driven by national interests and if there are more gains to be reaped from being a member to multiple organizations, they will partake in these multiple memberships. The main challenge here is that this contributes to the problem of under-achieving and missing milestone goals. The fact that states pay for multiple memberships and other contributions to different organizations is also a major challenge as these states could use that revenue for other essential needs. This also explains why countries like South Africa are content with trading more with the EU instead of pushing aggressively for more interregional trade; for them it is easier to do business with the EU than with regional partners.

Some theorists believe that there is a need for a hegemonic state in a regional integration organization so that it exercises positive influence and drives the organization's pursuits and mandates. However, this becomes a problem when the hegemonic state uses its powers to advance its own agenda at the expense of the region's own agenda. When South Africa unilaterally negotiated an FTA with the EU, it affected members of the SACU as they also had to apply the same tariffs to the EU as a customs union. This also causes problems for SADC because South Africa has set itself up as the region's biggest exporter to the EU and coupled with the current NTBs, the ease of doing business internationally rather than regionally always takes preference.

Even though the SADC FTA is in effect, the NTBs are still a major problem to intra-regional trade and this is one of the reasons as to why countries lack incentives to push for regional trade because it is more expensive compared to international trade. NTBs are not only limited to poor infrastructure but as the TIPS report suggests, red tape is also a major problem for regional trade. As the TIPS pointed out, Zimbabwe's insistence on defining imports as services so that they can add a 20% tariff shows the shift from the tariff system to NTB. This is evidence of how countries are reliant on tariffs as a source of their revenue and this is impacting negatively on inter-regional trade. The slow progress of the Inga Dam project is stopping the region from

unlocking the full potential of the SAPP, which means that the entire region would be able to access energy at cheaper prices.

At a global level, the global economic crisis was another huge challenge for SADC states, and it had similar effects like the way it affected the global community. The crisis had negative effects on the region's trade as shown by a decline in the region's trade average. The least drop in the average percentage pointed to the slowing down of the decline that the region was in and it showed the gradual recovery from the recession by the region.

Zimbabwe's economic crisis was brought on by the political turmoil and the drastic land reforms programme. This changed Zimbabwe from being one of the region's beacons of hope, to being one of the most troubled states within the region. SADC's actions in dealing with and mediating in the Zimbabwean crisis or conflict have been met with mixed reactions, mainly because of silent diplomacy style of mediation that was used. The 'father figure' status that was implicitly conferred on Mugabe was one of the main deciding factors in the way SADC dealt with the Zimbabwean crisis. The lack of a proper mediation protocol that provides clear guidelines as to the mediation procedure is one of the gravest shortfalls for the region. The difference in mediation or intervention between the Zimbabwean and Madagascan crises is well noted and understandable because of the difference in the nature of the two states. However, the issue here is that because of the lack of clear mediation or intervention guide, SADC tentatively considered a military intervention in Madagascar. The fact that such military action is not codified is problematic because there has to be a clear guide on when to intervene and the type of intervention to be adopted.

The issue of the relationships between Heads of State is also crucial to the organization's functioning. It was very hard for the SADC Member States to act against a figurehead that was instrumental in their fight for independence. This even ended up in the suspension of the SADC Tribunal, an institution that was created to deal with the very same Zimbabwean land reform case that precipitated its downfall. It is important to note that President Robert Mugabe did not have complete support from his compatriots as Prime Minister Odinga and President Khama openly refuted his leadership style. The relationship between Botswana and Zimbabwe was perhaps

the most strained one and this can be explained by the different experiences of colonialism the two countries had. The actions of the two Heads of State, President Mugabe and President Khama, were what the region needed in terms of acknowledging wrongdoing instead of not admitting the problem out of respect for the person at the centre of the turmoil. Although the GPA was a compromise by all parties involved to try and end the prolonged situation, the arrangement was far from the ideal outcome that neutrals had hoped for. It is important to take note of SADC's readiness to intervene early in a crisis as seen in the Lesotho, Zimbabwean and Madagascar crises, even though a detailed intervention protocol does not exist.

5.7 Conclusion

African regionalism is going forward, even though it might be at a snail's pace, but the idea of uniting the continent through uniting the regional organizations that exist could be possible when considering the current progress. After considerable delays, SADC finally launched its FTA, with plans in place to form a customs union and a customary union and thus become fully integrated. The positive move by Zimbabwe to scrap visas for civilians from SADC countries is a huge step towards creating a region that has freedom of movement by people between the countries. The SAPP is another major project that shows how regionalism has been a positive tool that can be used to effect positive change within the region. Initiatives like the SADC POA of 2008 show some of the important work that the regional organization has been undertaking in order to tackle some of the challenges facing the region. The RISDP can be seen as a positive because it shows intentions by the region to plan ahead as far as their regional integration project is concerned.

CHAPTER 6

SUMMARY AND CONCLUSION

6.1 Introduction

The main preoccupation of this research has been the exploration of the role of regionalism in African states, economy and society, and how these states are interrelated. The focus of the study has revolved around the subtleties of regionalism projects and region-making on the African continent and their effect on the aspiration of African states in meeting developmental challenges. It sought to explore regionalism using SADC and this regional body's engagement with Zimbabwe as a case in point. Drawing from data gathered from various sources (both primary and secondary ones), the analysis in this research has sought to interrogate the dynamics of regionalism in SADC, as well as the challenges and opportunities the region faces in this regard. The data analysis has been done through the thematic analysis and the iterative qualitative analysis techniques. This research has been conducted with the presupposition that strong regionalism that results from fully committed states shall bring about the intended and desired positive outcomes for the SADC region.

In as much as the current and prospective regionalism projects are put into perspective, there is no point in denying the positive effects that SADC has had on the region. The slow pace through which regionalism is effecting change should not be the basis for arguing against it and much less for its scraping. The institutions established as part of the region-making on the African continent, like most regional bodies, however, ought to be reformed. Such reforms are necessary in order to make the institutions responsive to current challenges facing the respective regions they represent, so that they can be efficient in their functions. This also means that states need to be fully committed to them. As we have already seen, SADC also suffers from the same issue of member states not fully committing to the integration project. As a major REC of the Southern African region, SADC requires member states' full support in order to build consensus along with its long-term goals. Often times, the regional body is distracted by protracted engagement inside projects that offer short-

term goals which tend to hurt the region's progress and long-term targets. This chapter reviews SADC's challenges and opportunities, and SADC's engagement with Zimbabwe. The chapter has appraised African regionalism with heavy emphasis being put on the challenges that it faces and the successes that it has brought for the Southern African region. The last section proffers recommendations based on the data analysis that has been undertaken to develop the way forward for SADC to undergo positive transformation.

6.2 SADC's challenges and opportunities

To say that regionalism has failed or is failing in Africa in general and Southern Africa in particular is a harsh assessment. The EU, for instance also faced challenges in its early development stages and it continues to face challenges to date. However, these challenges do not outweigh its benefits. In Africa's case, the problems that regional integration projects intend to address are some of the biggest obstacles that impede their success. Considering what the regional integration project has achieved thus far, it would be unwarranted to call it a failure because it has been able to achieve most goals as discussed above, despite the challenges encountered.

The Southern African region is faced with many challenges that can be attributed to the region's relatively young existence within the independence realm; however, some challenges are just chronic challenges that are faced by other periphery states and even core states in certain instances. It is important to note that some of the challenges and problems experienced by the Southern African region are not exclusive to it, but they can be seen in the other African regions. This research concentrated more on SADC's actions when it comes to addressing those issues and the problems and challenges that it comes across in its pursuit of these particular issues. It is worth mentioning that some of the challenges that SADC, as a regionalism project, is facing are tied to the same problems that the project is aimed at addressing. Other much more fundamental challenges are brought on by the region's colonial past, which influences the decisions and direction for the region.

From the onset, the type of regionalism to be undertaken was a major decision as Stephan and Hervey (2008) dwell on how African states are engaged in the wrong

type of regionalism because of their colonial history. These authors argued that African states are involved in 'inward-looking' regionalism, as they seek to isolate themselves from their former colonisers and the entire global community. The other side of this argument revolves around the implementation of open regionalism, which means that the countries will integrate into the global economy through trade and investment. This approach is difficult as it means that the small, less developed and less diversified markets or economies will be pitted against much stronger markets and economies. The devastating results of open regionalism can be seen in how South Africa's poultry industry was hard-hit after the re-signing of the AGOA deal forcibly opened the South African market to the United States products. South Africa has the biggest and most diversified economy in the region; so, this type of approach to regionalism would be even more devastating to the region's much weaker states.

The circumstances surrounding SADC's regionalism led the region to display both types of regionalism. One of the main reasons for the formation of SADC was for nations to come together as a region so that they could be more competitive in the global market in the face of globalisation. In practice, this is not the case as this research has looked at the practice of member states to willingly partake in globalisation partnerships that not only hurt the region's progress but themselves in the long run. The hesitation by member states to fully integrate through the use of sovereignty to weaken SADC's authority and reach is also not helping the region move forward. The case in point is the SADC Tribunal which was created to be the judicial wing of SADC, but at the first real prosecution of a member state, it was disbanded. The fate of the SADC Tribunal, which was actually created by the member states, points to the fact that member states are not yet willing to give up their sovereignty to a supranational institution. This then puts to test member states' dedication to the integration project.

Some of the more pertinent challenges that the region faces and do not have anything to do with the type of regionalism being used have been discussed at great length; however, it is important to note that some are taking longer to remedy because of the problem of selective participation in regionalism by member states. Poverty does not only manifest at the population level but also exists at the State level, and this "has made some regional organizations in Africa to rely on the contributions of non-

member states or organizations like USA, China, United Nations, European Union, International Bank for Reconstruction and Development (World Bank), among others for serious capital projects” (Eke & Ani 2017:68). This increasingly makes the integration project hard for SADC because there are membership fees involved with integration and as mentioned earlier, the situation is exacerbated by the fact that some states belong to more than one regional organization. The fact that African countries seek funding from their former colonisers is very troubling because regionalism in Africa was undertaken with the aim of ridding African countries of their heavy reliance on the core countries. Equally troubling is the fact that funding usually comes with conditions attached, thus sometimes crippling the region’s trajectory. This means that projects that the region may seek to undertake may not get funding if they go against the donor’s wishes or if it disadvantages the donor’s hold over the region in anyway.

In terms of the key challenges that regionalism was supposed to help the region alleviate, there has been progress in most of them even though it may be argued that it is happening at a slow pace. In terms of HIV prevalence rate, for instance, between 2000 and 2009, the region had the highest rate amongst all the African RECs. So, it comes as no surprise that during the same period SADC was also behind COMESA and ECOWAS in terms of life expectancy. In the economic sphere, the region showed some positives as it spotted a 40% government debt as a GDP percentage in 2011 which was half of the 80% that it recorded in 2004. The inflation rate had also been on the gradual decline between 2001 and 2011 with the 2008 spike having been caused by the global economic crisis; however, it continued to decrease after the global economic crisis period.

Much has been said about the heterogeneity of the SADC region’s economy, with South Africa being the strongest economy not only in the region but also in Africa. Eke and Ani (2017) refer to it as hegemonic politics because of the heavy dependence that SADC member states have on South Africa, with Botswana’s dependence standing at over 90%. Although some scholars believe in the need for hegemony in a region for it to be successful, that scenario does have its own drawbacks. The case in point is South Africa’s negotiating power and the way it negotiated an FTA with the EU and left out SACU members with no repercussions

for this action. Another elephant in the room for SADC's integration is the existence of the oldest customs union in the world which is SACU because SADC also cherishes ambitions of forming a customs union in future. As explained earlier, it is not possible for a country to be part of two customs unions, as certain member states are even struggling with being part of two FTA with Zambia being a typical example of such countries.

SADC's decision-making and policy power lies with the Summit, with the other institutions having ceremonial powers that can be overturned or vetoed by the Summit. A typical example is the SADC Tribunal whose decision against Zimbabwe was reversed. So, the league of nations label that has been attached to SADC can be justified with the structure that SADC has when it comes to decision-making and enforcement. Compared to the more advanced and mature regionalism, the EU, which has a more power-sharing system amongst its institutions, SADC on the other hand lacks this character. This has been one of the main reasons as to why SADC seems lethargic at times because the appropriate institutions are not empowered accordingly. In addition to this, the regional supranational entity lacks the much-needed crisis intervention and mediation framework that should be undertaken no matter which member state is involved. This means that intervention in states will aim at being unbiased towards the actors that are involved in a particular crisis or conflict.

6.3 SADC's position on Zimbabwe

Zimbabwe has been one of the most troubled states in the region, having been embroiled in an internal political conflict that led to the displacement of its population and also the weakening of its economy. Zimbabwe, and more specifically President Mugabe, played an instrumental role in the liberation of South Africa as well as other African states. This status resonates with the 'father figure' imagery that has been attached to President Mugabe's persona within the SADC region and Africa. This certainly became a disadvantage for SADC and most importantly the member states when they had to oppose the aging leader. The situation was also worsened by the fact that President Mugabe had been very vocal in his fight against neoliberalism. This invoked a sense of envy from the other statesmen that could not be as vocal because they benefit from post-modern imperialism.

It is not surprising that SADC's position on Zimbabwe especially during the 2000-2009 crisis, was characterised by support for Mugabe and his regime despite the worsening crisis. Most SADC leaders supported President Mugabe during the height of the crisis, with Botswana being the first to break the mould and challenge his leadership at the time. This shows the complex relationship that the two neighbouring states had. At the centre of this soiled relationship is the contrast in the histories of the two countries. President Mugabe's Zimbabwe had a public hate relationship with the core countries more specifically the United Kingdom and, on the other hand, Botswana President Ian Khama had a good relationship with the United Kingdom, not forgetting the fact that his mother who was also the former First Lady of Botswana was also British.

During his earlier post-independence days, President Mugabe had a reasonably good relationship with Zimbabwe's former coloniser, but the relationship turned toxic in the wake of the land grabs, which was understandable anyhow. The contrast in the relationship that Zimbabwe and Botswana had with the United Kingdom further strains the relationship that the two states and Heads of State had. More importantly, it does not come as a surprise that Botswana was one of the first SADC member states to break taboo and condemn President Mugabe's leadership. This also encouraged other leaders to follow suit and condemn the ailing leader's leadership. Essentially, it was South Africa's mediation that cemented SADC's ineffective role in Zimbabwe. It started with President Thabo Mbeki's 'quiet diplomacy' and then continued with President Zuma who showed a hard hand at first but also ended up falling into the same style pioneered by his predecessor.

SADC's position on Zimbabwe has been one of support during the early phases of the crisis, which was surprising given the severity of the situation at certain phases, with human rights abuses being reported. Their blind support for Mugabe can be argued to have been brought on by the fact that they have attached the 'father figure' imagery to him and they sort of admired the courage that characterised his fight against neo-colonialism that most states are still struggling against.

6.4 SADC's integration

What has emerged from this research and perhaps the biggest finding relates to what Chingono and Nakana (2009) pointed out as the lack of political will by leaders to fully commit themselves to SADC. Full commitment to the regional integration project would help in addressing many of the challenges that are faced by the region and SADC as a supranational institution. Though the RISDP is a great initiative, the slow pace that characterises its execution is detrimental to the region. This is attributable to a variety of issues, with lack of commitment by the member states being one of them. The commitment also means that the countries would be required to give up a degree of their sovereignty to SADC; this translates to more power devolved to SADC institutions unlike a situation where the Summit holds on to monopolistic power. This also places civil society and industry at the centre of regional integration, and a good example of how instrumental this initiative would be is the SAPP which found success with little political interference from the governments.

The region is also home to two of the top three longest serving statesmen in Africa (Onyango-obbo 2017). Equatorial Guinea's President, Teodoro Obiang Nguema Mbasogo, Angola's President José Eduardo dos Santos and Zimbabwe's President Robert Mugabe are the first, second and third longest serving leaders, respectively. Swaziland's King Mswati III who rules as a monarch has also been labelled a dictator and grouped along with his compatriots. So, one can conclude that if SADC members can tolerate their fellow compatriot's extension of stay in power, then the region still has a long way to go when it comes to acting against their compatriots.

Another point is the fact that most economies in the region are primary exporters and, in some cases, they are exporting the same raw material. Makova (2012) noted that in India, 60 000 jobs had been created to deal with the processing of diamonds that comes from Zimbabwe, leaving Zimbabwe only engaged in the mining and sorting of diamonds. This means that the processing of diamonds into jewellery happens outside of the region and the very same diamonds will be sold back at a premium. Thus, states need to change and have more diverse economies that are not reliant on a primary commodity which usually has fluctuating prices that are usually determined by the buyer. The region should also be working towards the processing

of primary commodities within the region, non-primary producing countries should develop infrastructure that processes the primary raw materials mined by their neighbouring states. This will help in improving intra-regional trade occurring between the member states as well as ensuring that the countries' GDPs are not heavily dependent on one entity. Central to this initiative is the removal of non-tariff barriers and also the full application of the SADC FTA throughout the region.

The importance of strengthening the transport infrastructure cannot be overemphasised because currently exporting overseas has lesser costs than transporting regionally because of the lack of transport infrastructure, with other non-tariff barriers exacerbating this phenomenon. Due to the nature of the trade in natural resources, Makova (2012) suggests that the revenue made from their trade should be reinvested into infrastructure, human capital and the manufacturing sector. In cases where the resource has reserves of over 20 years, it would also be wise to invest in the processing and manufacturing of that primary raw resource into a finished product. Chingono and Nakana (2009) also suggest that the region heavily invests in human resources along with research and development, which would help with the industrialisation that would revive ailing industries and also create new ones. Research and development would be the main drivers in addressing the above-mentioned problem of exporting primary raw products.

The region also needs to ensure that political and economic regimes are at par with one another; this will ensure that the convergence that they seek to achieve is achieved. This means that the region needs to establish a set of political and economic criteria that member states need to reform towards and abide by with a timeline as to when those goals and reforms need to be achieved. This will also assist with ensuring that the goals and timelines of the RIDSP are being realised.

For Zimbabwe to move forward and away from its current predicament, Ndlovu-Gatsheni (2003) suggests that the starting point for Zimbabwe to rebuild itself is the recognition that the developed West is not entirely responsible for their problems, but they too are responsible for them. In as much as globalisation is slowing down regional integration, Zimbabwe needs the benefits of globalisation. Zimbabwe is not part of most globalisation FTAs that other SADC member states are involved in and

the country does not even voluntarily participate in the EBA initiative. This problem, coupled with the sanctions that the country has been grappling with, do not help Zimbabwe as it tackles the process of rebuilding its economy. A wide spectrum of reforms, championing the rule of law and upholding good governance would go a long way in addressing the Zimbabwean crisis. Before the onset of the crisis, Zimbabwe was one of the biggest producers of agricultural commodities and had a vibrant economy. The next undertaking would be to revive some of its industries especially the agricultural sector so that it stops being the biggest importer of food within the region. The 2016 ban on the import of some South African goods may be viewed as a step back from integration but, as the South African government saw it, it was a positive step by Zimbabwe as it pursues a trajectory aimed at rebuilding its own local industry.

Future research will have to look at the period post Mugabe with regards to Zimbabwe as this research has not concentrated on it. It will be interesting to see the dynamics that exist between President Mnangagwa and the rest of SADC especially because Mnangagwa was part of Mugabe's Government. The Zimbabwean Military's takeover of the country that brought about the change of power is one such instance that needs to be studied mainly because it resembled a coup. SADC's actions during that period should also be studied in greater detail and also the progress that the region has made thus far.

6.5 Recommendations for SADC

- There needs to be full a full commitment to SADC, its mandates and it projects by all the Member states and there needs to be a move away from the states only being a part of it when it benefits them.
- SADC institutions need to be empowered and their decisions need to be fully binding to the member states, the situation with Zimbabwe and the SADC tribunal shows the disregard that the states have on the very institutions they created.

- SADC National Committees need to be empowered to carry out their functions because there is little evidence on their work or the existence of SADC at the local level in SADC Member States
- Since SADC aims to emulate the successes of the EU regionalism, institutions like the SADC Secretariat need to be fully empowered like the equivalent EU General Secretariat.
- The SADC Secretariat should be empowered to deal with urgent matters that affect the region because of some urgent matters like the attempted Lesotho 2014 *coup d'état* and the meeting of the SADC Troika two weeks after the said event are alarming because of the devastation some of these matters may have.
- Heads of states need to call out their fellow compatriots when there has been a wrong done, the need to toe the line that occurred during the Zimbabwean crisis is detrimental to what SADC aims to do.
- There needs to be harsher penalties or punishment for states that go against SADC's mandate and most importantly the decisions that the SADC institutions take.
- When it comes to negotiating with external countries or regions it should be done as a collective instead of individual states as we saw with South Africa and the EU, deviation from this should be met with harsh penalties.
- SADC member states need to move away from being producers and exporters of raw minerals and products. The processing of these need to happen within SADC through partnerships and empowerment of other state's manufacturing sector.
- The regional transport system needs to be dramatically improved so that trade between SADC states will be much cheaper, the fact that trading with Eastern States is cheaper than with regional states because of inadequate transport infrastructure is non-tariff barrier that is holding the region's trade back.
- The removal of non-tariff barriers should be at the top of the agenda to ensure the needed increase in intra-regional trade is achieved.
- The timelines set out in the RISDP, SADC POA, as well as well as the Customs Union timelines need to be abided by the postponement is delaying where SADC as a region should be as a regional organization.

- Given the slow pace in which SADC achieves its goals and timelines, it would be better if the regional body sets out deadlines that factor in the issues that the region faces with implementation.

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