

6-1-2004

Sovereignty and the Southern African Development Community

Benjamin Sirota

Recommended Citation

Sirota, Benjamin (2004) "Sovereignty and the Southern African Development Community," *Chicago Journal of International Law*: Vol. 5: No. 1, Article 24.

Available at: <http://chicagounbound.uchicago.edu/cjil/vol5/iss1/24>

This Article is brought to you for free and open access by Chicago Unbound. It has been accepted for inclusion in Chicago Journal of International Law by an authorized administrator of Chicago Unbound. For more information, please contact unbound@law.uchicago.edu.

Sovereignty and the Southern African Development Community

Benjamin Sirota*

I. INTRODUCTION

In late August 2003, members of the fourteen-nation Southern African Development Community (“SADC”) convened in Dar es Salaam, Tanzania for the group’s annual summit.¹ The two-day conference opened with a standing ovation in honor of embattled Zimbabwean President Robert Mugabe, who faces massive poverty, inflation, unemployment, and political opposition in his own country, as well as widespread condemnation from the West.² SADC leaders urged Western nations to lift sanctions on Zimbabwe while declining to address Mugabe’s numerous human rights abuses.³ Recognizing that the US and the EU have refused to fund projects in which Zimbabwe is involved, Tanzanian Foreign Minister Jakaya Mrisho Kikwete boldly stated, “We are 14 countries in SADC. The EU can either fund us as a group or keep its financial aid.”⁴ These initial declarations signaled that the SADC, a body founded

* AB 2000, Princeton University; JD Candidate 2005, The University of Chicago.

¹ SADC nations are Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe. Seychelles has announced its intention to leave the SADC. See *Security Pact Limits Sovereignty in Southern Africa*, SABC News (S Africa) (Aug 26, 2003), available online at <http://www.sabcnews.com/africa/southern_africa/0,2172,64676,00.html> (visited Mar 30, 2004).

² Beauregard Tromp, *SADC Welcomes Mugabe as an African Hero*, Mercury (S Africa) 8 (Aug 26, 2003), available online at <http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=vn20030826061020725C162985> (visited Mar 30, 2004); Arnold Beichman, *Moral Myopia*, Wash Times A16 (Oct 2, 2003); *Bloody Reforms Backed*, Herald Sun (Australia) 34 (Aug 27, 2003).

³ *Bloody Reforms Backed*, Herald Sun (Australia) at 34 (cited in note 2); *Security Pact Limits Sovereignty in Southern Africa*, SABC News (S Africa) (cited in note 1). Mugabe’s detractors cite violence and vote rigging associated with his contested 2002 re-election, government-sponsored harassment of dissidents, prosecution of the opposition party leader on charges of treason, and Zimbabwe’s controversial land distribution program where the government seized white-owned farms and redistributed to landless blacks.

⁴ Manoah Espisu, *African Leaders Rally behind Embattled Zimbabwe*, Reuters (Aug 24, 2003), available online at <<http://www.aegis.com/news/re/2003/RE030833.html>> (visited March 11, 2004).

primarily to achieve economic integration in Southern Africa, was expanding its role in the international political arena. By the end of the summit, the SADC had gone one step further, casting its power in explicitly military terms.

On August 26, 2003, the SADC unanimously endorsed a Mutual Defense Pact (“MDP”) that gives each member nation the right to intervene in armed attacks of the other member nations. The goal of the MDP is to give the SADC the ability to quell the seemingly endless stream of invasions, civil wars, and turf battles that have become a fact of life in Southern Africa in the late-twentieth century. In moving closer to regional security integration, the SADC countries have explicitly acknowledged their interconnectedness: a security threat to one country can affect the entire subcontinent. According to Benjamin Mkapa, SADC chairperson and Tanzania’s president, “If your neighbour is unstable, you will not be stable yourself.”⁵

The MDP represents not only a divergence from the economic-focused policies of the SADC’s past, but also a significant shift away from the region’s traditional respect for sovereignty. Not far removed from colonial rule, the SADC nations maintain a fierce pride in their independence. They are loath to give up any of the autonomy that often took years of bitter fighting to attain. Of course, this commitment to sovereignty has evolved “in the context of immense political solidarity—Pan Africanism—that was generated and reinforced by the struggle against white settler colonialism and apartheid.”⁶ Yet despite Pan Africanism and the SADC’s stated objective to “evolve common political values, systems and institutions,”⁷ commentators have long regarded the region’s desire to preserve sovereignty as a fixed component of its political climate and an intractable barrier to substantive regional integration. In 2001, two scholars went so far as to say that even though most of the SADC countries’ economies are in poor shape, “not even the least viable state in the region is willing to contemplate the loss of sovereignty.”⁸ Given all this, the resolutions and rhetoric employed at the summit, suggesting a gracious sacrifice of state sovereignty for the greater good of the region, are especially striking.

This Development will examine the provisions of the SADC’s Mutual Defense Pact, analyze the extent to which it charts a new course for the organization and affects the SADC’s traditional commitment to state

⁵ *Security Pact Limits Sovereignty in Southern Africa*, SABC News (S Africa) (cited in note 1).

⁶ David Evans, Peter Holmes, and Ibbo Mandaza, *SADC: The Cost of Non-Integration* 21 (Sapes 1999).

⁷ South African Development Community, *Objectives*, available online at <<http://www.sadc.int/index.php?lang=english&path=about/background&page=objectives>> (visited Mar 11, 2004).

⁸ Larry A. Swatuk and Peter Vale, *Why Democracy Is Not Enough: Southern Africa and Human Security*, in Nana Poku, ed, *Security and Development in Southern Africa* 31, 38 (Praeger 2001).

sovereignty, and finally, evaluate whether the pact represents a positive, negative, or negligible change. Section II will place the pact within the context of the history and past efforts of the SADC. Section III will consider the pact itself, paying special attention to whether its provisions add up to any cohesive message. Section IV will discuss whether the pact is a move in the right direction for Southern Africa.

II. THE SADC'S TROUBLED PAST AND ITS DESIRED FUTURE

The precursor to the SADC, the Southern African Development Coordination Conference ("SADCC"), was established in 1980 by nine member countries.⁹ The group's principal objective was to reduce the dependency of the member countries on South Africa, at that point years away from casting off its apartheid regime.¹⁰ Regional self-reliance was to be attained through economic development of each of the SADCC member countries. While the SADCC lent a powerful voice to the struggle against apartheid, its success with respect to economic development was limited. Starting in 1987, the organization set out to redefine itself.¹¹

In 1992, the Southern African Development Coordination Conference became the Southern African Development Community. Along with the shorter name came ostensible legitimacy: the SADC is based on a legally binding treaty that was ratified by its member states.¹² Despite the binding nature of the group's treaty, however, the transformation of the SADCC into the SADC did not immediately bring about a new direction in policy:

Given that in practice anti-South African sentiment rather than economic common interests bound the SADCC together, it was hardly surprising that initially its metamorphosis into SADC was not indicative of a major change in policy for the international community. Indeed, for the wider international community, the only significant departure in principle was a new preference for a dirigiste over a laissez-faire approach: regional integration was to be driven by a more regimented, interventionist and centrally directed policy, although the institutional structures and policy content of this reorientation were not specified.¹³

When newly-democratic South Africa joined the SADC in 1994, many in the organization had high hopes for what the SADC could accomplish. At the

⁹ The original members of the SADCC were Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia, and Zimbabwe. Logan Rangasamy, Christopher Mupimpila, and Meshack M. Khosa, *Models of Economic Integration*, in Jim Whitman, ed, *The Sustainability Challenge for Southern Africa* 41, 46 (Macmillan 2000).

¹⁰ Id.

¹¹ Id at 47.

¹² Nana Poku, *Regionalization and Security in Southern Africa* 99 (Palgrave 2001).

¹³ Id at 100.

time, South Africa's economy was nearly four times as large as the economies of the other eleven members combined.¹⁴ The addition of such an economic heavyweight could bring considerable clout to the SADC. Representatives from the member nations gathered in Johannesburg in 1995, pledging to create a common market for Southern Africa "with free trade . . . , free movement of people and even a single currency."¹⁵ Then-secretary of the SADC, Kaire Mbuende, commented that "the countries of southern Africa have the potential to become a powerful economic block."¹⁶

Problems inherent to the organization itself, as well as the constant ravages of war and poverty, impeded the SADC from meeting its goals. The bulk of South Africa's trade was with nations outside of the southern African region; consequently, little of its wealth seeped into the other SADC countries. The organization's heavy reliance on external funding restricted the SADC's ability to control its agenda. The SADC had few enforcement mechanisms to ensure that its members respected the trade, drug-smuggling, and water-sharing agreements they had signed.¹⁷ Civil wars and political coups kept several countries in a state of economic stagnation. Although the SADC had some success in obtaining aid from the World Bank and in rehabilitating the transportation and communication infrastructure of the region, indicators of economic performance do not demonstrate that the SADC has in any significant way improved the economies of its member states.¹⁸

Without the SADC, its member countries might have fared even worse, but this counterfactual possibility cannot console the SADC's leaders very much. They are surely aware that the SADC is considered a largely unproductive organization, despite its hopes of being taken seriously as a world player. Perhaps, then, the group's appeal to military force is merely an effort to command attention and respect in the international political sphere. The ramped-up commitment to Southern African solidarity may also be intended to reinvigorate SADC policy in its non-military areas—in trade and environmental policy, for instance. Under this view of the pact, its relevance has very little to do with military objectives. Rather, the pact's role is to convey to the world how the SADC views itself, and to assert a strong philosophy of integration that will aid the organization in its primary focus areas.

Lending support to this theory is the fact that although the pact purports to open the door for swift military action, it does not create a new independent

¹⁴ *Southern Africa Dreams of Unity*, *Economist* 35 (Sept 2, 1995).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Mr. Mugabe, Please Be Nice*, *Economist* 40 (Jan 19, 2002).

¹⁸ Poku, *Regionalization and Security in Southern Africa* at 103–04 (cited in note 12).

peacekeeping force.¹⁹ However, the African Union (“AU”), a larger intergovernmental organization than the SADC, has been discussing the prospect of setting up a peacekeeping force. The SADC pact could lay the groundwork for the creation of an SADC contingent to the AU force.²⁰

Furthermore, even though the pact does not authorize a single SADC military force, it contains an entire article related to defense cooperation. The article provides that parties to the pact will “co-operate in defence matters and facilitate interaction among their armed forces and defence-related industries.”²¹ It specifically authorizes joint military exercises, the exchange of military intelligence and information in all matters relevant to security, and joint development of defense equipment.²² These procedures, coupled with the statement of intent to cooperate, may be sufficient to make collective military action through the SADC a reality.

The pact flows from the SADC’s establishment, in 1996,²³ of the SADC Organ for Politics, Defence and Security (“Organ”), a security body charged with preventing the breakdown of law and order, both between and within member countries.²⁴ The declaration establishing the Organ said little about implementation,²⁵ hindering the Organ from meeting its ambitious aims. The stated objective of the MDP is “to operationalise the mechanisms of the Organ for mutual cooperation in defence and security matters.”²⁶ The presence of pre-existing channels within the SADC should facilitate the MDP’s security goals.

In sum, while the Mutual Defense Pact is more than the SADC’s stab at being taken seriously, it remains unclear whether the signing of the pact itself will make the SADC appreciably more likely to take military action.²⁷ At the very least, the MDP expresses the will of the SADC to make preparations for future military activity, be it through an AU standby force or through collective action of individual countries’ armies. The prior existence of the SADC Organ shows

¹⁹ *Security Pact Limits Sovereignty in Southern Africa*, SABC News (S Africa) (cited in note 1).

²⁰ Southern Africa Documentation and Cooperation Centre, *SADC States to Sign Defence Pact* (Aug 22, 2003), available online at <<http://www.sadocc.at/news/2003-234.shtml>> (visited Mar 11, 2004).

²¹ SADC Mutual Defence Pact art 9 (Aug 26, 2003), available online at <http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/sadc/defpact.pdf> (visited Mar 11, 2004).

²² Id.

²³ Fredrik Söderbaum, *The Dynamics of Security and Development Regionalism in Southern Africa*, in Poku, ed, *Security and Development in Southern Africa* 103, 106 (cited in note 8).

²⁴ *Southern Africa: Mutual Defence Pact Launched*, IRINNews.org (Aug 27, 2003), available online at <<http://www.irinnews.org/report.asp?ReportID=36230>> (visited Mar 11, 2004).

²⁵ Söderbaum, *The Dynamics of Security and Development Regionalism* at 107 (cited in note 23).

²⁶ SADC Mutual Defence Pact art 2 (cited in note 21).

²⁷ At the time of this writing, the SADC has taken no action pursuant to the MDP.

that security integration has been one of the organization's priorities for some time. The pact takes an important step toward bringing the SADC's security goals to fruition.

III. THE MUTUAL DEFENSE PACT

The Mutual Defense Pact is a short (seven-page) document that principally relates general sentiments about security and cooperation rather than laying out concrete plans. However, much can be gleaned about the SADC's intentions from the pact's relatively few provisions. Article 4, entitled "Military Preparedness," provides that the member nations of the SADC will "individually and collectively, by means of continuous co-operation and assistance, maintain and develop their individual and collective self-defence capacity to maintain peace, stability and security."²⁸ The key article in the pact is Article 6, entitled "Collective Self-Defence and Collective Action":

1. An armed attack against a State Party [an SADC member nation] shall be considered a threat to regional peace and security and such an attack shall be met with immediate collective action.
2. Collective action shall be mandated by Summit on the recommendation of the Organ.
3. Each State Party shall participate in such collective action in any manner it deems appropriate.
4. Any such armed attack, and measures taken in response thereto, shall immediately be reported to the Peace and Security Council of the African Union and the Security Council of the United Nations.²⁹

There are a few important things to note about Article 6. First, the first clause does not explicitly differentiate among different kinds of armed forces that could attack a State Party. Presumably, an invading army and a rebelling group within the country would be considered equally threatening to regional security under the pact and could both provoke collective action. Despite a lack of clarity in the text, Kathryn Sturman, a senior researcher at the Institute for Security Studies in Pretoria, South Africa, argues that the pact has a traditional focus on protecting the region of Southern Africa from military threats from outside the region.³⁰ Sturman questions "whether that's the most appropriate kind of security cooperation Southern Africa needs. The people of Southern Africa face greater threats from their own government, for example Zimbabwe, than they do from any external military threats."³¹

²⁸ SADC Mutual Defence Pact art 4 (cited in note 21).

²⁹ Id art 6 (emphasis omitted).

³⁰ *Southern Africa: Mutual Defence Pact Launched*, IRINNews.org (cited in note 24).

³¹ Id.

Although comments made by SADC leaders suggest that external aggression was an important concern, little in the text itself demands the conclusion that Sturman draws.³² In fact, the South African Broadcasting Corporation (“SABC”) News reports that SADC officials hope the pact will be used to end civil war in member states.³³ Considering the frequency of civil war in the region and the current political crisis in Zimbabwe, whether the MDP is applicable to internal disputes is a crucial issue. If the SADC was seeking to limit the pact to invasions from outside Southern Africa, it needed to use more specific language to do so.

Second, the MDP is not as binding as the NATO system in that it does not view an attack on one as an attack on all.³⁴ Rather, it considers an attack a general “threat to regional peace and security” which presses each State Party to decide for itself how it will participate in the collective response.³⁵ South African Deputy Foreign Minister Aziz Pahad commented that after the SADC decides that intervention is warranted, states “can respond according to their possibilities.”³⁶

This flexible approach was a change from a previous draft of Article 6, which Zimbabwe supported. That version would have states “immediately respond in the event of an attack on a fellow SADC member country.”³⁷ The ability of individual states to respond to an attack in whatever way they deem appropriate conflicts with the purpose of the pact—to facilitate *collective* action. Article 6 was likely softened to ameliorate concerns of countries fearful that the SADC would take away all their autonomy over military matters.³⁸

The tension between sovereignty and solidarity runs through the pact. For example, in the Preamble, the nations resolve “to unite our efforts towards collective self-defence and the preservation of peace and stability” but also to recognize “the sovereign equality of all States and their intention to strengthen the bonds that exist amongst them on the basis of respect for their

³² Article 1 of the MDP defines “armed attack” as “the use of military force in violation of the sovereignty, territorial integrity and independence of a State Party.” This definition suggests invasion by a force from outside the attacked country, but a rebel group within a country could also be seen to challenge, for example, a country’s sovereignty. SADC Mutual Defence Pact art 1(2) (cited in note 21).

³³ *Security Pact Limits Sovereignty in Southern Africa*, SABC News (S Africa) (cited in note 1).

³⁴ *SADC States to Sign Defence Pact* (cited in note 20); *Southern Africa: Mutual Defence Pact Launched*, IRINNews.org (cited in note 24).

³⁵ SADC Mutual Defence Pact art 6 (cited in note 21).

³⁶ *SADC States to Sign Defence Pact* (cited in note 20).

³⁷ *Southern Africa: Mutual Defence Pact Launched*, IRINNews.org (cited in note 24).

³⁸ It has been reported that South Africa was largely responsible for the change in Article 6. See *SADC States to Sign Defence Pact* (cited in note 20).

independence and non-interference in their internal affairs.”³⁹ It is apparent from these passages that the framers of the MDP understood the inherent challenges to sovereignty any collective agreement brings. An entire article—Article 7—is dedicated to the principle of non-interference:

1. Without prejudice to the provisions of Article 11 (2) of the Protocol on Politics, Defence and Security Cooperation, State Parties undertake to respect one another’s territorial integrity and sovereignty and, in particular, observe the principle of non-interference in the internal affairs of one another.
2. No action shall be taken to assist any State Party in terms of this Pact, save at the State Party’s own request or with its consent, except where the Summit decides that action needs to be taken in accordance with the Protocol.⁴⁰

Article 7 implies that the SADC’s function in approving intervention is to restore constitutional order, as opposed to, for instance, meddling with the attacked country’s political system. But whether the pact’s strong articulation of non-interference is sustainable is unclear: there is a fine line between stabilizing a country and interfering in its internal affairs. Above all, the fact that the SADC included Article 7 indicates that the pact is an attempt to stake out a middle ground between sovereignty and solidarity, as opposed to a wholesale rebuke of the countries’ traditional, nationalist outlook.

Another tension running through the pact is found in its simultaneous deference to other intergovernmental organizations, such as the UN, and its implied independence from those organizations. The Preamble reaffirms the SADC’s “commitment to the principles of the Charter of the United Nations,” as well as those of the African Union.⁴¹ Moreover, the pact provides that it “shall not derogate from the responsibility of the United Nations Security Council for the maintenance of international peace and security.”⁴² However, Article 6 states that “any . . . armed attack, *and measures taken in response thereto*, shall immediately be reported” to the AU and to the UN.⁴³ There is no stated requirement in the pact to discuss a member nation’s predicament with the UN before the SADC approves force. To the contrary, Article 6’s requirement to inform the UN of what measures have been taken indicates that the UN will not necessarily be consulted first. In a situation where SADC action is not in accordance with UN wishes, the pact suggests that the SADC may pursue its own goals.

Taken as a whole, the provisions of the MDP assert a strong message of solidarity, while preserving a measure of respect for the sovereignty of the

³⁹ SADC Mutual Defence Pact at Preamble (cited in note 21).

⁴⁰ Id art 7.

⁴¹ Id.

⁴² Id art 15(4).

⁴³ Id art 6(4) (emphasis added).

member states and for the power of the UN and the AU. The significant danger in such a concessionary tone is that all of the thoughtfully considered compromises will ultimately cancel each other out. Whether the SADC is capable of skirting the sharp edge between solidarity and sovereignty, between autonomy from other organizations and dependence on them, remains to be seen.

IV. IS THE MUTUAL DEFENSE PACT A GOOD THING FOR SOUTHERN AFRICA?

With few notable exceptions, Southern Africa is in the same place it was in 1992, when the SADC was formed. South Africa still towers over the rest of the region in productivity; most other nations' economic systems are in dire straits. Several member states are politically corrupt or unstable.⁴⁴ A massive percentage of the population is infected with HIV. The steady threat of violence stifles foreign investment and keeps the region's inhabitants in deep poverty. Without continuous peace and security, all the good intentions in the world cannot make the SADC an organization capable of affecting real change.

The decision of the SADC to put real teeth behind its call to solidarity through collective suppression of threats to security is a move in the right direction. The MDP pact recognizes, rightly, that the problems of one country in Southern Africa are the problems of the other countries. Successful use of the pact to restore stability will allow the SADC to concentrate its energies on shoring up the region's economies, its primary task.

However, there exists a significant danger that the pact will have only symbolic value if the SADC does not strengthen certain provisions and clarify several ambiguities in the text. First, the SADC should articulate the procedures and criteria that will govern its decision to use force. It must develop guidelines for answering the important questions: When is an attack serious enough to warrant a response? Should the response encompass diplomatic and military action, or just military action? As it stands, the pact is remarkably vague on these issues. South Africa's Deputy Foreign Minister has said only that if "there is an

⁴⁴ While leaders of the SADC have stated their concern that the crisis in Zimbabwe will have a negative impact on their countries, they have been unwilling to take a real stand against Mugabe. Members of the SADC have pursued a policy of quiet diplomacy toward Zimbabwe—asking Mugabe to enter into peace talks with Morgan Tsvangirai, leader of the opposition group Movement for Democratic Change ("MDC"), and pressing Mugabe to honor a fair election. See Jan Raath, *Mugabe Party Is Forced into Talks with Opposition*, *Times (UK)* (Apr 9, 2002); Michael Dynes, *African Leaders Let Mugabe Off Hook*, *Times (UK)* (Jan 15, 2002). SADC nations have in polite terms blamed Mugabe for his country's economic collapse. See *The Pressure Builds*, 360 *Economist* 39 (Sept 15, 2001). But the SADC has failed to speak out against the rampant political repression in Zimbabwe and has maintained a united front against Western criticism of Mugabe, as evidenced by the organization's stance at the annual summit.

external aggression then the whole process would be set into motion by which SADC will then take a decision whether the aggression warrants a collective intervention.”⁴⁵

Second, the fact that each member state can participate in an intervention “in any manner it deems appropriate” renders the likelihood of substantive collective action dubious. The SADC need not take the hard-line approach of NATO—construing an attack on one country as an attack on all—in order to arrive at a plan that all members will follow. A smaller group within the SADC whose responsibility is to order collective intervention, a body similar to the UN’s Security Council, should take input from all member states and settle on a mutually satisfactory course of action. The SADC should also consider putting in place incentives to ensure that the member states comply with the plan. The reason the SADC chose to allow member states to decide for themselves how to proceed is clear: it did not want to sacrifice the sovereignty of its member states to the decision of the group. But military force is precisely the area where a coordinated effort, as opposed to uneven participation, is essential.

Most importantly, the pact does not spell out whether it applies to both invasions from outside the attacked country and insurrection from within. There is much confusion in the press and among scholars on this issue, and the SADC must make its intentions clear. Assuming the pact covers internal attacks, the SADC must elaborate which considerations should inform the decision of whether to respond. For instance, does the pact authorize force when the attacked member nation is ruled by a corrupt dictator who is responsible for gross human rights violations and the attacking party is a group trying to overturn the dictatorship in favor of democracy? Will that attack be considered a threat to regional peace and security regardless of its motives? The current political crisis in Zimbabwe may develop in such a way as to force the SADC to confront these questions in the near future. How the SADC addresses Zimbabwe will in large part determine whether its critics continue to think of it as an unproductive club of corrupt governments or as a meaningful force for peace and prosperity in the region.

The MDP’s applicability to internal attacks must be considered in the context of one of the principles espoused in the MDP’s Preamble. The member states pledged “to defend and safeguard the freedom of our peoples and their civilisation, as well as their individual liberties and the rule of law.”⁴⁶ Given this lofty goal, the pact’s subtextual commitment to rush to the aid of any besieged member nation, regardless of its government’s record, is very troubling. It suggests that the pact could neglect concerns about abuses by the Zimbabwean government, for example, in its rush to preserve political stability.

⁴⁵ *Southern Africa: Mutual Defence Pact Launched*, IRINNews.org (cited in note 24).

⁴⁶ SADC Mutual Defence Pact at Preamble (cited in note 21).

Moreover, such a resolutely instrumentalist approach is contrary to the aims of the Organ, a body the pact is meant to operationalize. "Military confidence, conflict prevention and resolution, [and] political stability" are some of the Organ's key tenets.⁴⁷ Certainly the pact is directed at furthering these goals. But in addition, the principles of the Organ:

indicate a growing commitment at the official level not only to a regional security complex but to one that adheres to "new" security and "new" regionalism axioms and goals, with promises to work toward the protection and/or promotion of human rights, democracy, rule of law, and economic development.⁴⁸

The SADC must make clear that it will continue to respect democracy, the rule of law, and human rights in its quest for security in Southern Africa. These values should not be sacrificed for security, but rather should be considered integral components of security. The pact should explicitly incorporate a balancing test that asks whether force on behalf of a particular government will effectuate the larger goals of prosperity, liberty, and security which underlie the organization.

V. CONCLUSION

It is too soon to tell if the SADC's MDP will enable the organization to act effectively in the face of destabilizing events. To make the pact functional, SADC countries will have to overcome historical intra-group tensions as well as the fear of losing their sovereignty to the group effort. Regardless of its immediate effect, the pact makes real inroads toward putting the concept of solidarity into practice. A stronger and more detailed articulation of the pact will improve the likelihood of security in Southern Africa.

⁴⁷ Söderbaum, *The Dynamics of Security and Development Regionalism* at 106 (cited in note 23).

⁴⁸ Sandra J. MacLean, *Peace-Building and the New Regionalism in Southern Africa*, in Poku, ed, *Security and Development in Southern Africa* 123, 132 (cited in note 8).



CJIL